



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 5.400, 3CON Building
175 N Street, NE
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6048*

November 18, 2019

Kenneth Whittle
411A Highland Ave.
Somerville, MA 02144

Re: Request Number: 2019-004236
Date of Receipt: August 19, 2019
Subject of Request: Records related to Ronald Eppinger

Dear Mr. Whittle:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys' Office. To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

All of the records you seek are being made available to you. We have processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. This letter is a full release.

A review of the material revealed: **118 pages of responsive records that are released to you in full.**

Our office located records that originated with another government component. **These records were found in the U.S. Attorney's Office files.** Once we have received the above payment, these records will be referred to the following component(s) listed for review and direct response to you:

There are public records which may be obtained from the clerk of the court or this office, upon specific request. If you wish to obtain a copy of these records, you must submit a new request. These records will be provided to you subject to copying fees.

Please note that your original letter was split into separate files ("requests"), for processing purposes, based on the nature of what you sought. Each file was given a separate Request Number (listed below), for which you will receive a separate response:

[] See additional information on next page.

This is the final action on this above-numbered request. If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, Sixth Floor, 441 G Street, NW, Washington, DC 20001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following website: <https://foiaonline.gov>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the Executive Office for United States Attorneys (EOUSA) for any further assistance and to discuss any aspect of your request. The contact information for EOUSA is 175 N Street, NE, Suite 5.400, Washington, DC 20530; telephone at 202-252-6020; or facsimile 202-252-6048. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Kevin Krebs
Assistant Director

Enclosure(s)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
00-0131 CR-MORENO
CASE NO. _____
MAGISTRATE JUDGE
DUBÉ

UNITED STATES OF AMERICA)
)
)
)
v.)
)
)
)
RONALD EPPINGER, and)
LUCIE FAUBERT)
)
)

MOTION TO SEAL

The United States moves for an order sealing the indictment in this case, and as grounds therefor states that if the indictment becomes a public record before the defendant is arrested, he may flee or conceal his whereabouts and become a fugitive.

WHEREFORE, the United States moves for an order to seal the indictment and his motion until the defendant's initial appearance and after his arrest.

Respectfully submitted,

THOMAS E. SCOTT
UNITED STATES ATTORNEY

By:

SCOTT E. RAY
ASSISTANT UNITED STATES ATTORNEY
FL. BAR. NO. 802050
99 N.E. 4th Street
Miami, Florida 33130
(305) 961-9033 Tel.
(305) 530-7976 Fax.

FEB 28 2000

Rec'd in MIA Dkt _____

Krt

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

00-0131 CR-MORENO
NO. 0131 CR-MORENO
MIAMI DIVISION

MAGISTRATE JUDGE

DUBÉ

8 USC 1328

18 USC 371

18 USC 2422(a)

18 USC 1956(a)(1)(A)(i)

18 USC 1957(a)

18 USC 982(a)(1) and (a)(2)

18 USC 2

UNITED STATES OF AMERICA

v.

RONALD R. EPPINGER and
LUCIE FAUBERT

INDICTMENT

The Grand Jury charges that:

COUNT 1

From in or about January 1997 through June 1999, the exact dates being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

RONALD R. EPPINGER, and
LUCIE FAUBERT,

did knowingly and willfully combine, conspire, confederate, and agree with persons both known and unknown to the Grand Jury to import into or attempt to import into, and keep, support, employ or harbor, in the United States, an alien for the purpose of prostitution, in violation of Title 8, United States Code, Section 1328.

FEB 20 2000

Rec'd in MIA Dkt

3/1/2000
JMT

OBJECT OF THE CONSPIRACY

The primary purpose of the conspiracy was to import Czech and other Eastern European females into the United States posing as tourists for the purpose of prostitution, in order to financially enrich the defendants and their co-conspirators.

MANNER AND MEANS

It was a manner and means of the conspiracy for the defendants to periodically travel to and within the Czech Republic, and conspire with their co-conspirators to recruit Czech females willing to work as prostitutes in the United States. It was a further manner and means to assist the Czech females in obtaining tourist visas to allow them to enter the United States. It was a further manner and means of the conspiracy to instruct, manage, and supervise the Czech females who worked as prostitutes in the Southern District of Florida and elsewhere, for the financial benefit of the defendants and their co-conspirators.

OVERT ACTS

In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, both known and unknown to the Grand Jury, committed and caused to be committed the following overt acts in the Southern District of Florida and elsewhere:

1. In or about August or September 1998, the exact dates being unknown to the Grand Jury, the defendant, Ronald R. Eppinger, and a co-conspirator offered to assist a Czech female, that is, G.S., to travel to the United States to work as a prostitute/model.
2. In or about September of 1998, the defendants and their co-conspirators facilitated G.S.'s entry into the Southern District of Florida.
3. In or about September of 1998, after G.S. arrived in the Southern District of

Florida, she met with the defendant, Ronald R. Eppinger, who advised her that she would be working as a prostitute, and they discussed the amount of money that she would earn as a prostitute.

4. From approximately September 1998 to December 1998, and from approximately January 1999 to March 1999, the exact dates being unknown to the Grand Jury, the defendant, Ronald R. Eppinger, and a co-conspirator directed and supervised G.S.'s work as a prostitute in the Southern District of Florida.

5. In or about May 1999, the defendant, Lucie Faubert, facilitated the travel of another Czech female, that is, P.S., from the Czech Republic to the Southern District of Florida, for the purpose of prostitution.

6. On or about May 26, 1999, the defendants, Ronald R. Eppinger, and Lucie Faubert, had a conversation regarding, in part, P.S.'s prostitution activities. Eppinger complained that P.S., who had just arrived in the Southern District of Florida, was "nervous" about working as a prostitute. Faubert then spoke with P.S. and persuaded her to work as a prostitute for Eppinger.

7. On or about May 26, 1999, the defendant, Lucie Faubert promised to send her co-defendant, Ronald R. Eppinger, two more Czech females within a month, for the purpose of prostitution.

All in violation of Title 18, United States Code, Section 371.

COUNT 2

In or about May 1999, the exact dates being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

LUCIE FAUBERT,

did import, or attempt to import, into the United States, an alien for the purpose of prostitution, in violation of Title 8, United States Code, Section 1328, and Title 18, United States Code, Section 2.

COUNT 3

In or about May 1999, the exact dates being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

did keep, support, employ or harbor, in the United States, an alien for the purpose of prostitution, in violation of Title 8, United States Code, Section 1328, and Title 18, United States Code, Section 2.

COUNT 4

On or about April 22, 1998, the exact date being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, E.I., to travel in foreign commerce from Miami, Florida, to Nassau, Bahamas, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 5

On or about May 7, 1998, the exact date being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, S.Q., to travel in interstate commerce from Miami, Florida, to New York, New York, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 6

On or about May 6, 1999, the exact date being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, S.Q., to travel in interstate commerce from Miami, Florida, to New York, New York, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 7

On or about May 26, 1999, the exact date being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, L.D., to travel in foreign commerce from Miami, Florida, to international waters, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 8

On or about June 2, 1999, the exact date being unknown to the Grand Jury,

at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, P.S., to travel in interstate commerce from Miami, Florida, to Dallas, Texas, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 9

On or about June 22, 1999, the exact date being unknown to the Grand Jury, at Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

RONALD R. EPPINGER,

knowingly persuaded, induced, enticed, and coerced an individual known to the Grand Jury, that is, L.D., to travel in interstate commerce from Miami, Florida, to New York, New York, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a).

COUNT 10

On or about May 26, 1999, at Miami, Dade County, in the Southern District of Florida and elsewhere, the defendant,

RONALD R. EPPINGER,

did knowingly conduct, and attempt to conduct, a financial transaction affecting interstate commerce, to wit, the purchase of a 33-foot Donzi motor vessel, hull number DMRFB104C888, in Miami-Dade County, Florida, which transaction involved the proceeds of a specified unlawful activity, that is, proceeds from prostitution, punishable under the laws of the United States, with the intent to promote the carrying on of specified unlawful

activity, and that while conducting and attempting to conduct such financial transaction, knew that the property involved in the financial transaction, that is, approximately thirty thousand dollars (\$30,000), represented the proceeds of some form of unlawful activity.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.

COUNT 11

On or about May 28, 1999, at Fort Lauderdale, Broward County, in the Southern District of Florida and elsewhere, the defendant,

RONALD R. EPPINGER,

did knowingly conduct, and attempt to conduct, a financial transaction affecting interstate commerce, to wit, the purchase of a 1997 Lincoln Town Car limousine, VIN number 1LNLM81W0VY617521, in Broward County, Florida, which transaction involved the proceeds of a specified unlawful activity, that is, proceeds from prostitution, punishable under the laws of the United States, with the intent to promote the carrying on of specified unlawful activity, and that while conducting and attempting to conduct such financial transaction, knew that the property involved in the financial transaction, that is, United States currency in the amount of approximately eighteen thousand dollars (\$18,000), represented the proceeds of some form of unlawful activity.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.

COUNT 12

On or about April 9, 1999, at, Miami, Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

RONALD R. EPPINGER,

did knowingly engage in and attempt to engage in a monetary transaction, that is, the deposit of United States currency, in the amount of approximately forty-seven thousand five hundred dollars (\$47,500), into an account at Mandaley Bay Casino in Las Vegas, Nevada, in criminally derived property of a value greater than \$10,000, which property was derived from a specified unlawful activity, that is, knowingly persuading, inducing, enticing and coercing an individual to travel in interstate commerce to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a), as alleged in counts 4-9 of this indictment.

All in violation of Title 18, United States Code, Sections 1957(a) and 2.

COUNT 13

On or about April 30, 1999, at, Miami, Miami-Dade County, in the Southern District of Florida and elsewhere, the defendant,

RONALD R. EPPINGER,

did knowingly engage in and attempt to engage in a monetary transaction, that is, the deposit of United States currency, in the amount of approximately forty-five thousand dollars (\$45,000), in an account at Rio Suites Hotel and Casino in Las Vegas, Nevada, in criminally derived property of a value greater than \$10,000, which property was derived from a specified unlawful activity, that is, knowingly persuading, inducing, enticing and coercing an individual to travel in interstate commerce to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a), as alleged in counts 4-9 of this indictment.

All in violation of Title 18, United States Code, Sections 1957(a) and 2.

Forfeiture; 18 U.S.C. § 982

The allegations contained in paragraphs 1 through 13 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein, for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Sections 982(a)(1) and (a)(2).

As a result of the foregoing offenses contained in Counts 10 through 13, the defendant,

RONALD R. EPPINGER,

shall forfeit to the United States all property, real and personal, involved in and constituting and derived from proceeds which the defendant, RONALD R. EPPINGER, obtained directly and indirectly as a result of the aforeslated offenses, in violation of Title 18, United States Code, Sections 1956(a)(1) and 1957(a).

Such forfeitures shall include the following:

- a. \$92,500 in United States Currency, and all interest and proceeds traceable thereto, in that such sum in aggregate is property which was involved in, and derived directly and indirectly from, the aforeslated offenses.
- b. A 33-foot Donzi motor vessel, hull number DMRFB104C888, in that such vessel is property which was obtained with \$30,000 of proceeds involved in, and derived directly and indirectly from, the aforeslated offenses.
- c. A 1997 Lincoln Town Car limousine, VIN number

1LNLM81W0VY617521, in that such vehicle is property which was obtained with \$18,000 of proceeds involved in, and derived directly and indirectly from, the aforestated offenses.

d. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

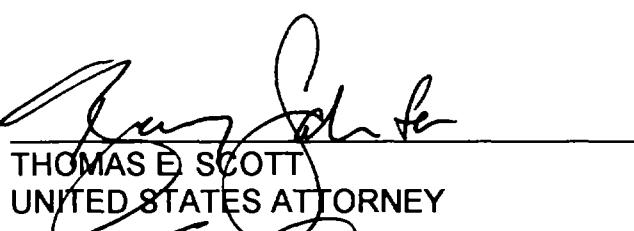
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, or sold to, or deposited with a third party;
- (3) has been placed beyond the jurisdiction of the Court; or
- (4) has been commingled with other property which cannot be subdivided with difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

In violation of Title 18, United States Code, Sections 982(a)(1) and (a)(2).

A TRUE BILL



FOREPERSON



THOMAS E. SCOTT
UNITED STATES ATTORNEY



SCOTT E. RAY
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA 00-0131 CR-MORENO

v.

RONALD EPPINGER, and
LUCIE FAUBERTMAGISTRATE JUDGE
CERTIFICATE OF TRIAL ATTORNEY*
DUBÉ

Court Division: (Select One)

 Miami Key West
 FTL WPB FTPNew Defendant(s) Yes No
Number of New Defendants
Total number of counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.
3. Interpreter: (Yes or No) No
List language and/or dialect _____
4. This case will take 5 days for the parties to try.

5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	<input type="checkbox"/>
II	6 to 10 days	<input type="checkbox"/>	Minor	<input type="checkbox"/>
III	11 to 20 days	<input type="checkbox"/>	Misdem.	<input type="checkbox"/>
IV	21 to 60 days	<input type="checkbox"/>	Felony	<input checked="" type="checkbox"/>
V	61 days and over	<input type="checkbox"/>		

6. Has this case been previously filed in this District Court? (Yes or No) NO

If yes:

Judge: _____

Case No. _____

(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) NO

If yes:

Magistrate Case No. _____

Related Miscellaneous numbers: _____

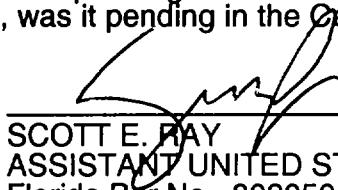
Defendant(s) in federal custody as of _____

Defendant(s) in state custody as of _____

Rule 20 from the _____ District of _____

Is this a potential death penalty case? (Yes or No) NO

7. Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? Yes No If yes, was it pending in the Central Region? Yes No



SCOTT E. RAY
ASSISTANT UNITED STATES ATTORNEY
Florida Bar No. 802050

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
00-0131CR-MORENO
PENALTY SHEET MAGISTRATE JUDGE
DUBÉ

Defendant Name: RONALD EPPINGER Case No. _____

Count #: I _____

8 USC 371 _____

***Max. Penalty: 5 years imprisonment** _____

=====

Count #: II, IV, V, VI and VII _____

18 USC 2422(a) _____

***Max. Penalty: 5 years imprisonment** _____

=====

Count #: III _____

8 USC 1328 _____

***Max. Penalty: 10 years imprisonment** _____

=====

Count #: VIII - IX _____

18 USC 1956(a)(1)(A)(i) and 2 _____

***Max. Penalty: 20 years imprisonment** _____

=====

Count #: X - XI _____

18 USC 1957(a) and 2 _____

***Max. Penalty 10 years imprisonment** _____

=====

Count #: XII _____

18 USC 982(a)(1) and (a)(2) _____

***Max. Penalty: Forfeiture** _____

=====

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

00-0131CR-MORENO

PENALTY SHEET

MAGISTRATE JUDGE

DUBÉ

Defendant Name: LUCIE FAUBERT

Case No. _____

Count #: I

8 USC 371

***Max. Penalty: 5 years imprisonment**

Count #: II

8 USC 1328

***Max. Penalty: 10 years imprisonment**

Count #:

***Max. Penalty:**

Count #:

***Max. Penalty**

Count #:

***Max. Penalty:**

=====
*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.

NO. 00-14-14-CR-MORENO

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CRIMINAL DIVISION

MAGISTRATE JUDGE
DUBBÉ

THE UNITED STATES OF AMERICA

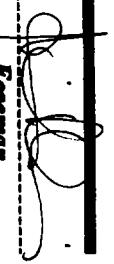
v.s.
RONALD EPPINGER

INDICTMENT

IN VIOLATION OF

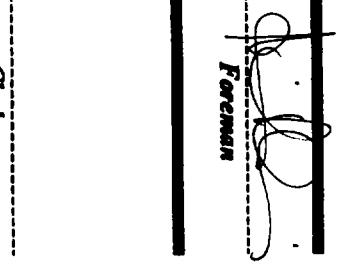
8 USC 1328 18 USC 371
18 USC 2422(a) 18 USC 1956(a)(1)(A)(i)
18 USC 1957(a) 18 USC 982(a)(1) and (a)(2)
18 USC 2

A true bill


98-01 (MIA) *Foreman*

Filed in open court this 24 day,

of Feb. 4th 2000


Clerk


Bail, \$

United States District Court

SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

00-0131 CR-MORENO

v.

LUCIE FAUBERT

WARRANT FOR ARREST
MAGISTRATE JUDGE
CASE NUMBER: DUBÉ

TO: The United States Marshal
and any Authorized United States Officer

FILED by *[Signature]* D.C.
FEB 24 2000

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMI

YOU ARE HEREBY COMMANDED to arrest LUCIE FAUBERT

Name _____

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging ^{her} ~~him~~ with (brief description of offense)

8 USC 1328

18 USC 371

18 USC 2

BARRY L. GARBER

Name of Issuing Officer

Signature of Issuing Officer

Bail fixed at \$ PTD

MAGISTRATE JUDGE
GARBER

United States Magistrate Judge

Title of Issuing Officer

Miami, Florida

Date and Location

by **BARRY L. GARBER**

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

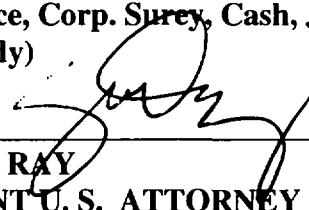
[Signature]

BOND RECOMMENDATION

DEFENDANT LUCIE FAUBERT

\$ P.T.D. (On Bond)

**Risk of Flight (Personal Surety, Recognizance, Corp. Surey, Cash, Jail, Warrant,
Summons, Marshal's Custody)**


SCOTT E. RAY
ASSISTANT U. S. ATTORNEY

Last Known Address: _____

What Facility: _____

Agent: Pamela Martin, IRS and Glen Kelly, FBI
(IRS)(CUSTOMS)(INS)(OTHER)(FBI)(SECRET SERVICE)(DEA)(ATF)

United States District Court

SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

00-0131 CR-MORENO

MAGISTRATE JUDGE

v.

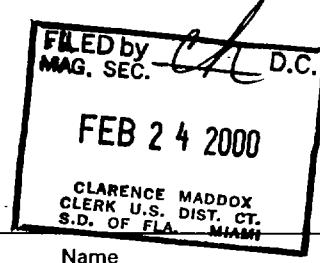
WARRANT FOR ARREST

RONALD EPPINGER

CASE NUMBER:

TO: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest RONALD EPPINGER



and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him with(brief description of offense)

8 USC 1328
18 USC 371
18 USC 2422(a)

18 USC 1956(a)(1)(A)(i)
18 USC 1957(a)
18 USC 982(a)(1) and (a)(2)

18 USC 2

BARRY L. GARBER

MAGISTRATE JUDGE
GARBER

United States Magistrate Judge

Title of Issuing Officer

Name of Issuing Officer

Signature of Issuing Officer

Miami, Florida

2-24-00

Date and Location

Bail fixed at \$ PTD

BARRY L. GARBER

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

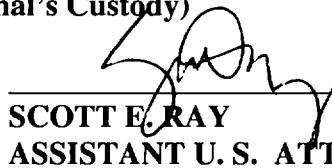
DATE OF ARREST

BOND RECOMMENDATION

DEFENDANT RONALD EPPINGER

\$ P.T.D. (On Bond)

**Risk of Flight (Personal Surety, Recognizance, Corp. Surey, Cash, Jail, Warrant,
Summons, Marshal's Custody)**


**SCOTT E. RAY
ASSISTANT U. S. ATTORNEY**

Last Known Address: _____

What Facility: _____

Agent: Pamela Martin, IRS and Glen Kelly, FBI
(IRS)(CUSTOMS)(INS)(OTHER)(FBI)(SECRET SERVICE)(DEA)(ATF)

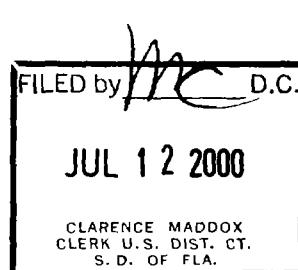
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-131-Cr-Moreno

UNITED STATES OF AMERICA

v.

LUCIE FAUBERT



ORDER TO UNSEAL

This cause came before this Court on the Government's Motion to Unseal. The Court being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the Government's Motion is hereby granted, and the Clerk of the Court shall unseal the Indictment.

DONE AND ORDERED at Miami, Florida, this 10 day of July 2000.

[Signature]
FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

8/3

for the Southern District of Florida

United States of America

v.

Lucie Faubert

Criminal No. 00-0131 CR Moreno

Consent to Transfer of Case

for Plea and Sentence

(Under Rule 20)

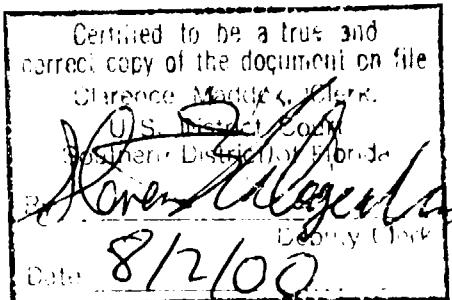
FILED BY SFC
2000 AUG -2 PM 3:32
CLARENCE MADDUX
CLERK U.S. DIST. CT.
S.D. OF FLA - HIA
D.C.

I, Lucie Faubert, defendant, have been informed that a n indictment (indictment, information, complaint) is pending against me in the above designated cause. I wish to plead guilty (guilty, nolo contendre) to the offense charged, to consent to the disposition of the case in the Central District of California in which I am held (am under arrest, am held) and to waive trial in the above captioned District.

Dated: 07-17 2000 at LOS ANGELES, CA

Lucie Faubert
(Defendant)

Frank J. Gunderson CZECH
INTERPRETER
(Witness)
Frank J. Gunderson
(Counsel for Defendant)



Approved

Edward C. Marin Jr.
United States Attorney for the

United States Attorney for the
Central
District of
California

District of

Southern District of
Florida

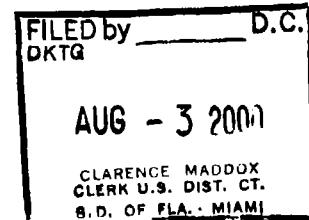
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Clarence Maddox
Court Administrator • Clerk of Court

301 North Miami Avenue
Miami, Florida 33128-7788
(305) 523-5100

August 3, 2000

United States District Court
Central District of California
G-8 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012



RE: USA vs. Lucie Faubert
Case No. 00-131-CR-MORENO

Dear Sir or Madam:

The defendant in the above case has entered a Consent to Transfer of Case for Plea and Sentence (*Under Rule 20*) and is being transferred to your court. The following items are being forwarded herewith:

- (1) original Consent to Transfer of Case for Plea and Sentence (*Under Rule 20*)
- (1) certified copy of the Indictment/Information
- (1) certified copy of the Docket Sheet

Please acknowledge receipt of the above on the enclosed copy of this letter and return it the envelope which has been provided.

CLARENCE MADDOX
Clerk of Court

by: _____


Deputy Clerk

Encl.

United States District Court

SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

00-0131 CR-MORENO

MAGISTRATE JUDGE

v.

DURE
WARRANT FOR ARREST

RONALD EPPINGER

CASE NUMBER:

TO: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest RONALD EPPINGER

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him with(brief description of offense)

8 USC 1328

18 USC 1956(a)(1)(A)(i)

18 USC 2

18 USC 371

18 USC 1957(a)

18 USC 2422(a)

18 USC 982(a)(1) and (a)(2)

CLERK U.S. DISTRICT COURT
S.D. OF FLA.
MAY 21 PH: 28
FED BY

BARRY L. GARBER

**MAGISTRATE JUDGE
GARBER**

United States Magistrate Judge

Title of Issuing Officer

Name of Issuing Officer

Signature of Issuing Officer

Miami, Florida

Date and Location

BARRY L. GARBER

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above named defendant at _____
Miami, FL

DATE RECEIVED 2-28-00

NAME AND TITLE OF ARRESTING OFFICER

DATE OF ARREST

JAMES TASSONE

5-11-01

U.S. MARSHAL, S/FL

SIGNATURE OF ARRESTING OFFICER

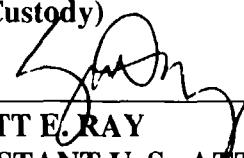
BY: PETE CALIGARI SDUSM

BOND RECOMMENDATION

DEFENDANT RONALD EPPINGER

\$ P.T.D. (On Bond)

**Risk of Flight (Personal Surety, Recognizance, Corp. Surey, Cash, Jail, Warrant,
Summons, Marshal's Custody)**


**SCOTT E. RAY
ASSISTANT U. S. ATTORNEY**

Last Known Address: _____

What Facility: _____

**Agent: Pamela Martin, IRS and Glen Kelly, FBI
(IRS)(CUSTOMS)(INS)(OTHER)(FBI)(SECRET SERVICE)(DEA)(ATF)**

Recused

FILED by
MAG. SEC.

D.C.

MAY 21 2001

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMIUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDAUNITED STATES OF AMERICA]
Plaintiff]
-vs-]
] Defendant
EPPINGER, RONALD]

CASE NUMBER: CR 50-131-C-11 Munc

REPORT COMMENCING CRIMINAL
ACTION

62230-004

USMS Number

TO: CLERK'S OFFICE MIAMI FT. LAUDERDALE W. PALM BEACH
U.S. DISTRICT COURT (circle one)NOTE: CIRCLE APPROPRIATE LOCATION FOR APPEARANCE IN MAGISTRATES
COURT ABOVE.*****
COMPLETE ALL ITEMS. INFORMATION NOT APPLICABLE ENTER N/A.

(1) DATE AND TIME OF ARREST: _____ AM _____ PM _____

(2) LANGUAGE SPOKEN: ENGLISH(3) OFFENSE(S) CHARGED: 8 USC 1328 / 18 USC 371, ETC.

(4) UNITED STATES CITIZEN: () YES () NO () UNKNOWN

(5) DATE OF BIRTH: 2-25-36

(6) TYPE OF CHARGING DOCUMENT: (check one)

[] INDICTMENT [] COMPLAINT TO BE FILED/ALREADY FILED
CASE # _____

[] BENCH WARRANT FOR FAILURE TO APPEAR

[] PROBATION VIOLATION WARRANT

[] PAROLE VIOLATION WARRANT

ORIGINATING DISTRICT: _____

COPY OF WARRANT LEFT WITH BOOKING OFFICER [] YES [] NO

AMOUNT OF BOND: \$ _____ WHO SET BOND? _____

(7) REMARKS: _____

(8) DATE: _____ ARRESTING OFFICER: _____

(10) AGENCY: USMS (11) PHONE: _____

(12) COMMENTS: _____



I R S / F B I ~~SEALED INDICTMENT~~

United States District Court

SOUTHERN

DISTRICT OF

FLORIDA

UNITED STATES OF AMERICA

00-0131 CR-MORENO

MAGISTRATE JUDGE

V.

WARRANT FOR ARREST

RONALD EPPINGER

CASE NUMBER:

TO: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest RONALD EPPINGER

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

 Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him with (brief description of offense)

8 USC 1328

18 USC 1956(a)(1)(A)(i)

18 USC 2

18 USC 371

18 USC 1957(a)

18 USC 2422(a)

18 USC 982(a)(1) and (a)(2)

BARRY L. GARBER

Name of Issuing Officer

Signature of Issuing Officer

Bail fixed at \$ PTDMAGISTRATE JUDGE
GARBER

United States Magistrate Judge

Title of Issuing Officer

Miami, Florida

Date and Location

BARRY L. GARBER

by

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above named defendant at _____

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

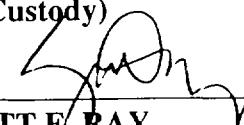
DATE OF ARREST

BOND RECOMMENDATION

DEFENDANT RONALD EPPINGER

\$ P.T.D. (On Bond)

**Risk of Flight (Personal Surety, Recognizance, Corp. Surey, Cash, Jail, Warrant,
Summons, Marshal's Custody)**


SCOTT E. RAY
ASSISTANT U. S. ATTORNEY

Last Known Address: _____

What Facility: _____

Agent: Pamela Martin, IRS and Glen Kelly, FBI
(IRS)(CUSTOMS)(INS)(OTHER)(FBI)(SECRET SERVICE)(DEA)(ATF)

kntctmpapr.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-131-CR-Moreno

UNITED STATES OF AMERICA,

v.
Ronald Eppinger

NOTICE OF TEMPORARY
APPEARANCE AS COUNSEL

FILED by WJ D.C.
MAG. SEC.
MAY 21 2001
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMI

COMES NOW

Ronald Eppinger

and

files this temporary appearance as counsel for the above named defendant(s) at initial appearance. This appearance is made with the understanding that the undersigned counsel will fulfill any obligations imposed by the Court such as preparing and filing documents necessary to collateralize any personal surety bond which may be set.

Counsel's Name (Printed)

MAITLAND J. HAMON

Counsel's Signature

Maitland J. Hamon

Address

1221 Brickell Ave 1020

Miami, Fla

ZIP CODE: 33131

Telephone

(305) 371-5300

Florida Bar Number

131

koia.

UNITED STATES OF AMERICA

Plaintiff,
v.UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-131-CR-MORENO/RLD

ORDER ON INITIAL APPEARANCE

Language ENGLISH
Tape No. 01FX- 55-1952
AUSA Scott Ray
Agent Rand Glass

FILED by
MAG. SEC. *[Signature]* D.C.

MAY 21 2001

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMI

RONALD EPPINGER
Defendant.

DOB: 2-25-36

Reg# 62230-004

The above-named defendant having been arrested on _____ having appeared before the court for initial appearance on 5-14-01 and proceedings having been held in accordance with **F.R.C.P. 5 or 40(a)**, it is thereupon

ORDERED as follows:

1. Jonathan Diamond appeared as permanent temporary counsel of record.
Address: _____
Zip Code: _____ Telephone: _____
2. _____ appointed as permanent counsel of record.
Address: _____
Zip Code: _____ Telephone: _____
3. The defendant shall attempt to retain counsel and shall appear before the court at 10:00 A.M. on 5/23, 2001.
4. Arraignment/Preliminary/Removal/Identity hearing is set for 10am 5/23, 2001.
5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because Court rec. risk of flight
A detention hearing, pursuant to 18 U.S.C. Section 3142(f), is set for 10am held, 2001.
6. The defendant shall be release from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:

The defendant is pretrial detained
as a risk of flight

This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel document to the Pretrial Services Office.
- b. Report to Pretrial Services as follows: _____ times a week by phone, _____ time a week in person;
- other: _____
- c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.
- d. Maintain or actively seek full time gainful employment.

* Detention hearing held.

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[Signature]

RONALD EPPINGER

- e. Maintain or begin an educational program.
- f. Avoid all contact with victims of or witnesses to the crimes charged.
- g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- h. Comply with the following curfew:
- i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.
- j. Comply with the following additional special conditions of this bond:

This bond was set: At Arrest _____
On Warrant _____
After Hearing X

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is _____

If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

DONE AND ORDERED at Miami, Florida, this 14th day of MAY 2001.


UNITED STATES MAGISTRATE JUDGE
ANDREA M. SIMONTON

c: Assistant U.S. Attorney
Defendant
Counsel
U.S. Marshal
Pretrial Services/Probation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

01 MAY 21 PM 3:51
CASE NO.: 00-CR-00131-MORENO

CLERK, S. DIST. CT.
S.D. OF FLA - MIA

UNITED STATES OF AMERICA,

*

Plaintiff,

*

vs.

*

RONALD R. EPPINGER,

*

Defendant.

*

DEFENDANT'S NOTICE OF APPEAL FROM
MAGISTRATE SIMONTON'S REPORT AND RECOMMENDATION

COMES NOW the Defendant, RONALD R. EPPINGER, by and through his undersigned counsel, and hereby files his Notice of Appeal to the Magistrate's Report and Recommendation, pursuant to 28 U.S.C. 636(b)(1)(A) and Magistrate Local Rule 4, to the Order entered by the Honorable Andrea M. Simonton, United States Magistrate, detaining the Defendant without bond, entered on May 14, 2001. Defendant Eppinger has ordered the transcript of proceedings and will file his Brief within ten (10) days from the date of receipt of said transcript (see *attached transcript request*)

Respectfully submitted,

NATHAN P. DIAMOND, P.A.
1221 Brickell Avenue, Suite 1020
Miami, Florida 33131
(305) 371-5300

By:

NATHAN P. DIAMOND, ESQUIRE

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VS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Defendant's Notice of Appeal from Magistrate Simonton's Report and Recommendation was forwarded by mail this 21st day of May, 2001 to Scott Ray, Assistant United States Attorney, 99 Northeast Fourth Street, Miami, Florida 33132.


By: _____
NATHAN P. DIAMOND, ESQUIRE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

TO: COURT REPORTER PROGRAM SUPERVISOR

ORDER FOR TRANSCRIPT FROM MAGISTRATE TAPE RECORDING

Requestor: Nathan P. Diamond Phone: 305-371-5300

Date Requested: 5-21-01

Date Required: as soon as possible

Magistrate Judge: Andrea Simonton

Date of Hearing: May 14, 2001

Type of Proceeding: Bond hearing

Case Number: 00-CR-00131-MORENO

Case Style: United States v. Ronald R. Eppinger

Defendant: Ronald R. Eppinger

Tape Number: _____
(Can be obtained from the Docket Sheet)

Special Information: _____

Indicate transcript rate desired:

ORDINARY \$3.00/pg A transcript to be delivered within thirty (30) calendar days after receipt of an order.

EXPEDITED \$4.00/pg A transcript to be delivered within seven (7) calendar days after receipt of an order.

DAILY \$5.00/pg A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually be a court day.

COURT REPORTER'S OFFICE USE ONLY

Received from U.S. District Court
original tapes as indicated above.

Contractor

Date:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

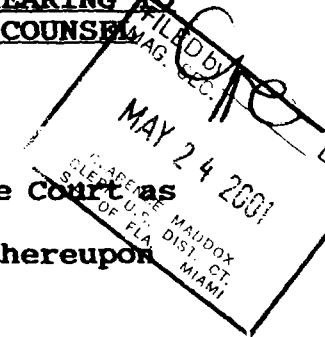
CASE NO. 00-131-CH-Moreno

UNITED STATES OF AMERICA, :

v. :

Ronald Effinger :

ORDER ON HEARING TO
REPORT RE COUNSEL



The above named defendant having appeared before the Court as ordered and reported efforts to retain counsel, it is thereupon

ORDERED as follows:

Private counsel _____
appeared in open court and is noted as permanent
counsel of record.

The defendant requested Court appointed counsel, was
found eligible, and counsel will be appointed by
separate order

The defendant requested Court appointed counsel but
was found ineligible, and shall appear before the
Court on _____
at 10:00 a.m. to report regarding his/her further
efforts to retain counsel, unless counsel notices
a permanent appearance before that date.

The defendant requested further time to retain
counsel and shall appear before the Court on
May 30, 2001 at 10:00 a.m. to report
regarding his/her further efforts to retain counsel,
unless counsel notices a permanent appearance before
that date. Assignment is reset to
5-30-2001.

DONE AND ORDERED at Miami, Florida this 25th day
of May, 2001.
TAPE NO. 01638-160

c:

UNITED STATES MAGISTRATE JUDGE

16 /

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.00-131-CR-MORENO

UNITED STATES OF AMERICA, : FILED by *PAW* D.C.

Plaintiff, : MAY 23 2001

v. : CLERK, U.S. DISTRICT
S. D. OF FLA.

RONALD EPPINGER, : 12

Defendant. : 12

DETENTION ORDER

Pursuant to 18 U.S.C. § 3142(f), on May 14, 2001, a hearing was held to determine whether the defendant, RONALD EPPINGER should be detained prior to trial. Having considered the factors enumerated in 18 U.S.C. § 3142(g), this Court finds that no condition or combination of conditions will reasonably assure the appearance of this defendant as required. Therefore, it is hereby ordered that the defendant RONALD EPPINGER be detained prior to trial and until the conclusion thereof.

In accordance with the provisions of 18 U.S.C. § 3142(i), the Court hereby makes the following findings of fact and statement of reasons for the detention:

1. The defendant is charged in twelve counts of a thirteen-count indictment with conspiracy to import and keep an alien in the United States for purposes of prostitution, in violation of 8 U.S.C. § 1328 and 18 U.S.C. § 371 (Count 1); with keeping, supporting, employing and harboring an alien in the United States for the purpose of prostitution, in violation of 8 U.S.C. § 1328 (Count 3); with persuading, inducing, and enticing an individual to travel in foreign commerce to engage in prostitution, in violation of 18 U.S.C. § 2422(a) (Counts 4 - 9); and with money laundering concerning the proceeds

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of prostitution offenses, in violation of 18 U.S.C. § 1956(a)(1)(A)(i) (Counts 10 and 11), and in violation of 18 U.S.C. § 1957(a) (Counts 12 and 13). These offenses carry maximum sentences of imprisonment of five years' imprisonment (Counts 1, 4- 9); ten years' imprisonment (Counts 3, 12-13); and twenty years' imprisonment (Counts 10-11). The government roughly estimated the potential sentence under the guideline range to be between 46 and 63 months. Therefore, although the defendant is facing a significant period of incarceration, the crime with which the defendant is charged is not a crime of violence or drug trafficking crime, and there is no presumption that the defendant is either a risk of flight or a danger to the community. 18 U.S.C. § 3142(g)(1).

2. Probable cause to believe that the defendant committed these offenses is established by the indictment in this case. Moreover, based upon the proffer of the Assistant United States Attorney and the testimony at the detention hearing of FBI Special Agent Randy Glass, the weight of the evidence against the defendant is substantial since it is based upon intercepted wire communications in which the defendant boasts of bringing foreign nationals into the United States, and how much he charges for their time; records which corroborate the travel, and by information from the cooperating co-defendant. The defendant was involved in persuading women to come to the United States with the promise of money. Once they arrived, they stayed with the defendant at his condominium at The Grand. The defendant arranged for prostitution dates for these women, and provided them with food and clothing. The defendant would retain 40 percent of the money earned by the women, and pay them the remainder. The government proffered, however, that there is no reason to believe that the defendant used force or threats of force against these women.

The evidence also established that the defendant moved from the United States to the Czech Republic in June 1999. At that time, the defendant was aware that he

was under investigation. An employee of the defendant was overheard saying that the defendant was packing up to leave the country in order to hide from the FBI. The defendant's cousin advised the FBI that in November 1999, the defendant telephoned his cousin and requested his cousin to bring money to the defendant in the Czech Republic. The cousin refused to do so because he believed it would be illegal. When the defendant left the United States, he abandoned three condominiums he owned at The Grand, and ceased making mortgage payments, causing foreclosure by the mortgage note holders. He also abandoned certain personal property located in those condominiums. The defendant advised pretrial services that those condominiums had been seized by the government, which was not true. Defense counsel proffered that the defendant had abandoned those units because they were substantially mortgaged and had no equity in them. 18 U.S.C. § 3142(g)(2).

3. The pertinent history and characteristics of the defendant are that the defendant is a native and citizen of the United States who was born in Massachusetts on February 25, 1936. He lived at The Grand condominium complex for seven or eight years prior to his departure to the Czech Republic in June 1999. While in the Czech Republic, the defendant lived with his fiance, who continues to reside there. The defendant reported to pretrial services that he had been unemployed for the past two and a half years, and that he supported himself as a professional gambler. The undersigned Magistrate Judge finds from a preponderance of the evidence that the defendant left the United States to avoid future prosecution on these charges. In addition to the previously stated evidence of this fact, the defendant left the United States within days after his counsel obtained a copy of a police report from the Wilton Manors police department which referred to the existence of the FBI investigation. Moreover, the extradition treaty between the United States and the

Czech Republic does not cover these offenses. The FBI was advised by government officials of the Czech Republic that the defendant was living there under the name of David Benjamin or Benjamin David. Although when the defendant was arrested while in transit through Germany he was traveling on his United States passport in his own name, and after the German government ruled that he should be extradited to the United States, the defendant waived his right to seek appellate review, these facts are insufficient to overcome the weight of the evidence that the defendant was seeking to avoid his potential future arrest on these charges.

The undersigned Magistrate Judge recognizes that the defendant has ties to this community. The defendant's son lives in Pompano Beach, Florida. The defendant's son owns a home in which he has approximately \$150,000 in equity, has bank accounts with approximately \$20,000.00 and is willing to co-sign on a bond. In addition, the defendant has friends in the community who were willing to co-sign on bonds. For example, one of these friends, Robert Roth, owns IGT credit card company, which employs between 150 and 200 people, and has an income of over \$100 million a year. Mr. Roth has known the defendant for approximately 12 years, and previously employed him approximately ten years ago. Mr. Roth was willing to employ the defendant and co-sign on a bond up to \$50,000. Other persons with substantial ties to this community were also willing to co-sign on bonds. Due to the unavailability of significant cash assets, the defendant requested release on a bond secured by a ten percent deposit into the registry of the court, rather than a corporate surety bond.

The criminal history of the defendant reflects that he was arrested by the DEA and convicted in this Court in 1975 for possession with intent to distribute a controlled substance, and sentenced to 18 months' confinement, followed by a 5-year special parole

term. Defense counsel proffered that this offense involved approximately one ounce of cocaine. His record reflects arrests with no disposition in 1988 for grand larceny and dealing in stolen property. In April 1999 he was convicted of a prostitution offense and adjudication was withheld. The record also reflects an arrest by the Miami-Dade Police Department on 6/29/99 for four counts of child abuse, interference with child custody, and six counts of lewd and lascivious assault on a child, with no disposition; however, SA Glass testified that the defendant was unaware of the state charges at the time. 18 U.S.C. § 3142(g)(3)(A) and (B).

4. The Court specifically finds, by a preponderance of the evidence, that there are no conditions or combination of conditions which reasonably will assure the defendant's appearance as required. This finding is based upon the defendant's criminal history, the fact that the defendant fled to the Czech Republic knowing of this investigation and seeking to avoid the possibility of arrest, and lived there under an assumed name, the fact that he has substantial ties to the Czech Republic, having lived there with his fiance for approximately one and a half years prior to his arrest, that he has no stable employment record, and that his ties to the United States, which would otherwise be considered significant, have been substantially diminished by the fact that he has not returned here since he left. Moreover, the evidence against the defendant is very strong, and the defendant is facing a significant period of incarceration if convicted, and this provides an additional incentive to flee. The undersigned Magistrate Judge finds that the co-signatures of the defendant's son and other persons in the community, even if coupled with a corporate surety bond, would not be sufficient to reasonably assure the presence of the defendant as required. 18 U.S.C. § 3142(e).

Based upon the above findings of fact, which were supported by a preponderance of the evidence, the Court has concluded that this defendant presents a risk of flight. The Court hereby directs:

- (a) That the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;
- (b) That the defendant be afforded reasonable opportunity for private consultation with counsel; and
- (c) That, on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED at Miami, Florida, this 25th day of May, 2001.

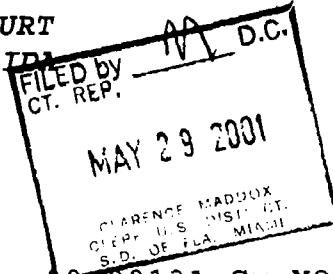


ANDREA M. SIMONTON
UNITED STATES MAGISTRATE JUDGE

Copies to:

The Honorable Federico A. Moreno,
United States District Judge
AUSA Scott Ray, Esq.
Nathan Diamond, Esq.
Pretrial Services

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION



UNITED STATES OF AMERICA,

Case No. 00-00131-Cr-MORENO

Plaintiff,

vs.

MIAMI, FLORIDA

MAY 14, 2001

RONALD EPPINGER and
LUCIE FAUBERT,

Defendants.

TRANSCRIPT OF PRETRIAL DETENTION HEARING
BEFORE THE HONORABLE ANDREA M. SIMONTON,
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

FOR THE GOVERNMENT:

SCOTT RAY, A.U.S.A.
UNITED STATES ATTORNEY'S OFFICE
99 N.E. 4th Street
Miami, FL 33132 - 305/961-9033

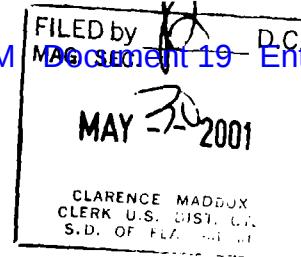
FOR THE DEFENDANT:

NATHAN P. DIAMOND, ESQ.
1221 Brickell Avenue, Suite 1020
Miami, Florida

REPORTED BY:

JERALD M. MEYERS, RPR-CM
Official Federal Court Reporter
301 North Miami Avenue, 9th Floor
Miami, FL 33128-7797 - 305/374-8108

18
AP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-131-CR-MORENO

UNITED STATES OF AMERICA,

vs.

RONALD EPPINGER

ARRAIGNMENT INFORMATION SHEETJail No.: 62230-004

Defendant.

Language: _____

The above-named Defendant appeared before **Magistrate Judge TED E. BANDSTRA**, where the Defendant was arraigned and a plea of not guilty was entered. Defendant and court-appointed/retained counsel of record will be **noticed for trial by the District Judge assigned to this case**. The following information is current as of this date:

Defendant: Address: IN CUSTODY

Tel. No.: _____

Defense Counsel: Name : Nathan Diamond
1221 Brickell Ave 1020
Miami 33131
305-371-5300

Bond Set/Continued: \$ PTD

Dated this 30 day of MAY, 2001.

CLARENCE MADDOX, COURT ADMINISTRATOR

BY PATRICIA FITZPATRICK *[Signature]*
Deputy Clerk

c: Clerk for Judge
U.S. Attorney
Defense Counsel
Pretrial Services

TAPE NO. 01B-50-2655
DIGITAL START NO. _____

19
2

kdntcattyapr.

FILED by *[Signature]* D.C.
MAG. SEC.

MAY 2001 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. MIAMI

CASE NO. 01-131-CR-Moreno

UNITED STATES OF AMERICA,

v.

Ronald Enginger

NOTICE OF PERMANENT
APPEARANCE AS COUNSEL
OF RECORD

COMES NOW _____, and files this appearance as counsel for the above named defendant(s). Counsel agrees to represent the defendant(s) for all proceedings arising out of the transaction with which the defendant(s) is/are presently charged in the United States District Court in and for the Southern District of Florida.

Counsel hereby states that this appearance is unconditional and in conformity with the requirements of Local General Rule 11.1(D) and Rule 4 of the Special Rules Governing the Admission and Practice of Attorneys.

Counsel acknowledges responsibility to advise the defendant(s) of the right of appeal, to file a timely notice of appeal if requested to do so by the defendant(s), and to pursue that appeal unless relieved by Court Order.

FEE DISPUTES BETWEEN COUNSEL AND CLIENT SHALL NOT BE A BASIS FOR WITHDRAWAL FROM THIS REPRESENTATION.

DATED: 5/29/01

Attorney *[Signature]*

Address 1221 Brickell Ave 1020

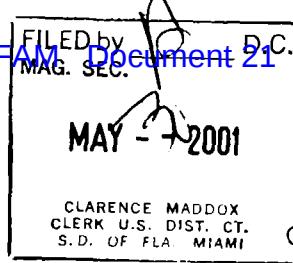
City Miami State Fla Zip Code 33131

Telephone (305) 371-5300

The undersigned defendant(s) hereby consent(s) to the representation of the above counsel.

20

S



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 00-131-CR-MORENO

UNITED STATES OF AMERICA,

vs.

RONALD EPPINGER

ORDER ON HEARING TO
REPORT RE COUNSEL

The above named defendant having appeared before the Court as ordered and reported efforts to retain counsel, it is thereupon

ORDERED as follows:

X Private counsel Nathan Diamond appeared in open court and is noted as permanent counsel of record.

_____ The defendant requested Court appointed counsel, was found eligible, and counsel will be appointed by separate order.

_____ The defendant requested Court appointed counsel but was found ineligible, and shall appear before the Court on _____ at 10:00 a.m. to report regarding his/her further efforts to retain counsel, unless counsel notices a permanent appearance before that date.

_____ The defendant requested further time to retain counsel and shall appear before the Court on _____ at 10:00 a.m. to report regarding his/her further efforts to retain counsel, unless counsel notices a permanent appearance before that date.

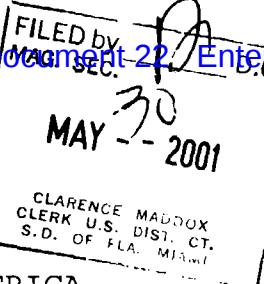
DONE AND ORDERED at Miami, Florida this _____ day of My, 2001.

TAPE NO. 01B-50-2655

T.E. Bandstra
UNITED STATES MAGISTRATE JUDGE
TED E. BANDSTRA

c: AUSA
Defense Counsel
Pretrial Services or Probation
U.S. Marshal

21
2



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-131-CR-MORENO

UNITED STATES OF AMERICA,
Plaintiff,

v.
RONALD EPPINGER,

STANDING DISCOVERY ORDER

Defendant(s).

The above-named defendant(s) having been arraigned this date in open Court, it is thereupon

ORDERED AND ADJUDGED that on or before fourteen (14) days from the date of this Order, the parties shall confer and the following shall be accomplished.

A. The Government shall permit the defendant(s) to inspect and copy the following items or copies thereof, or supply copies thereof, which are within the possession, custody or control of the Government, the existence of which is known or by the exercise of due diligence may become known to the Government:

1. Written or recorded statements made by the defendant(s).
2. The substance of any oral statement made by the defendant(s) before or after his/her/their arrest(s) in response to interrogation by a then known-to-be Government agent which the Government intends to offer in evidence at trial.
3. Recorded grand jury testimony of the defendant(s) relating to the offenses charged.
4. The defendant's(s') arrest(s) and conviction record(s).
5. Books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, which are material to the preparation of the defendant's defense, or which the Government intends to use as evidence at trial to prove its case in chief, or were obtained from or belonging to the defendant(s).
6. Results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with this case.

222

B. The defendant(s) shall permit the government to inspect and copy the following items, or copies thereof, or supply copies thereof, which are within the possession, custody or control of the defendant(s), the existence of which is known or by the exercise of due diligence may become known to the defendant(s).

1. Books, papers, documents, photographs or tangible objects which the defendant(s) intend(s) to introduce as evidence in chief at trial.
2. Any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case which the defendant(s) intend(s) to introduce as evidence in chief at trial, or which were prepared by a defense witness who will testify concerning the contents thereof.
3. If a defendant intends to rely upon the defense of insanity at the time of the alleged crime, or intends to introduce expert testimony relating to a mental disease, defect or other condition bearing upon the issue of whether he had the mental state required for the offense charged, he shall give written notice thereof to the government.

C. The government shall reveal to the defendant(s) and permit inspection and copying of all information and material known to the government which may be favorable to the defendant on the issues of guilt or punishment within the scope of Brady v. Maryland, 373 U.S. 83 (1963), and United States v. Agurs, 427 U.S. 97 (1976).

D. The government shall disclose to the defendant(s) the existence and substance of any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses, within the scope of Giglio vs. United States U.S. 150 (1972), and Napue v. Illinois, 360 U.S. 264 (1959).

E. The government shall supply the defendant(s) with a record of prior convictions of any alleged informant who will testify for the government at trial.

F. The government shall state whether defendant(s) was/were identified in any lineup, showup, photo spread or similar identification proceeding, and produce any pictures utilized or resulting therefrom.

G. The government shall advise its agents and officers involved in this case to preserve all rough notes.

H. The government shall advise the defendant(s) of its intention to introduce during its case in chief proof of evidence, pursuant to Rule 404(b), Federal Rules of Evidence.

I. The government shall state whether the defendant(s) was/were an aggrieved person(s), as defined in Title 18 United States Code Section

J. The government shall have transcribed the grand jury testimony of all witnesses who will testify for the government at the trial of this cause, preparatory to a timely motion for discovery.

K. The government shall, upon request, deliver to any chemist selected by the defense, who is presently registered with the Attorney General in compliance with 21 U.S.C. Section 822 and Section 823, 21 C.F.R. Section 101.22(8), a sufficient representative sample of any alleged contraband which is the subject of this indictment, to allow independent chemical analysis of such sample.

L. The government shall permit the defendant(s), his/her/their counsel and any experts selected by the defense to inspect any vehicle, vessel, or aircraft allegedly utilized in the commission of any offenses charged. Government counsel shall, if necessary, assist defense counsel in arranging such inspection at a reasonable time and place, by advising the government authority having custody of the thing to be inspected that such inspection has been ordered by the Court.

M. The government shall provide the defense, for independent expert examination, copies of all latent fingerprints or palm prints which have been identified by a government expert as those of the defendant(s).

N. The government shall, upon request of the defendant, disclose to the defendant a written summary of testimony the government reasonably expects to offer at trial under Rules 702, 703, or 705 of the Federal Rules of Evidence. This summary must describe the witnesses' opinions, the bases and the reasons therefor, and the witnesses' qualifications. If the defendant seeks and obtains discovery under this paragraph, the defendant shall, upon request by the government, disclose to the government a written summary of testimony the defendant reasonably expects to offer at trial under Rules 702, 703, or 705 of the Federal Rules of Evidence, describing the witnesses' opinions, the bases and the reasons therefor, and the witnesses' qualifications.

O. The parties shall make every possible effort in good faith to stipulate to all facts or points of law the truth and existence of which is not contested and the early resolution of which will expedite the trial.

P. The parties shall collaborate in preparation of a written statement to be signed by counsel for each side, generally describing all discovery material exchanged, and setting forth all stipulations entered into at the conference. No stipulations made by defense counsel at the conference shall be used against the defendant(s)

STANDING DISCOVERY ORDER

unless the stipulations are reduced to writing and signed by the defendant(s) and his/her/their counsel. This statement, including

Q. Timing of all discovery shall be governed by the provisions set forth in Paragraph Q of Local Rule 88.10.

It shall be the continuing duty of counsel for both sides to immediately reveal to opposing counsel all newly discovered information or other material within the scope of this Standing Order.

Upon a sufficient showing, the Court may at any time, upon motion properly filed, order that the discovery or inspection provided for by this Standing Order be denied, restricted or deferred, or make such other order as is appropriate. It is expected by the Court, however, that counsel for both sides shall make every good faith effort to comply with the letter and spirit of this Standing Order.

All motions concerning matters not covered by this Standing Order must be filed pursuant to Local Rule 88.9 within twenty-eight (28) days of this Order.

DONE AND ORDERED at Miami, Florida, this 30th day of MAY, 2001.

TEB
UNITED STATES MAGISTRATE JUDGE
TED E. BANDSTRA

TAPE NO. 01B-

kschedo. + jytrlldl. + calddl.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-131-CR-MORENO

UNITED STATES OF AMERICA,
Plaintiff,
Vs.
RONALD EPPINGER,

Defendant(s)./

FILED by M.C. D.C.

6-7-01

CLARENCE MADDOX
CLERK, U.S. DIST. CT.
S.D. OF FLA.

SCEDULING ORDER SETTING TRIAL

TAKE NOTICE that the above-entitled case has been set for trial on the two-week calendar beginning at **9:00 am on July 2, 2001,**

before the Honorable **Federico A. Moreno**, United States District Judge, East Courtroom 4, 10th Floor, Federal Justice Building, 99 N.E. 4th Street, Miami, Florida.

Counsel shall report to a **call of the trial calendar** which will be held on **Tuesday at 2:00 p.m. on June 26, 2001.**

*****Defense counsel are instructed to notify the Court in writing within five days after the time periods outlined in the Standing Discovery Order have elapsed if they have not received all discovery from the government. The government is instructed to respond in writing within five days of any such notice being given to the Court.

Any motion for continuance must be in writing and accompanied by pre-addressed stamped envelopes for all parties in order to be considered, pursuant to this Court's Local Rule 7.1.(a)(4).

Counsel are required to pre-mark all exhibits and provide the court with two copies of the exhibit list. Counsel are also instructed to submit any special jury instructions at calendar call.

The government is required to provide the court with a complete set of jury instructions for use by the court.

Counsel are required to inform to the court when a defendant is in custody or an interpreter is required.

Please notify the court immediately at **305-523-5110** of any disposition or settlement of this case.

Dated: June 6, 2001

cc:

AUSA(s)
Scott Ray

Defendant's Counsel:
Nathan Diamond Esq.
Pretrial Services


FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

3 2001

EJ

CASE NO. 00-131-CR-MORENO

UNITED STATES OF AMERICA)
v.)
RONALD EPPINGER,)
Defendant.)

/

**GOVERNMENT'S RESPONSE TO
THE STANDING DISCOVERY ORDER**

The United States hereby files this response to the Standing Discovery Order. This response also complies with Local Rule 88.10 and Federal Rule of Criminal Procedure 16, and is numbered to correspond with Local Rule 88.10.

A. 1. There are recorded statements made by the defendant as a result of Title III wire interceptions over telephone numbers (305) 372-9491 and (305)374-7108. Tape recordings of the conversations, as well as the accompanying line sheets have been provided to defense counsel. Please note that the line sheets are not considered the final version of the intercepted calls. Rather, the line sheets are provided for informational purposes only to assist defense counsel at this early stage of the proceedings. Transcripts have been ordered and will be made available as soon as they are received by the undersigned.

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2. The defendant made no statement after arrest in response to interrogation by a person then known to the defendant to be a government agent.
3. The defendant did not testify before the Grand Jury.
4. The NCIC record of the defendant, if one exists, will be provided upon receipt by this office.
5. Copies or photographs of books, papers, documents, photographs, tangible objects, buildings or places which the government intends to use as evidence at trial to prove its case in chief, or were obtained or belonging to the defendant will be make available at the discovery conference. That conference is currently scheduled for 2 p.m. on June 26, 2001 at the U.S. Attorney's Office, Sixth Floor, 99 N.E. 4th Street, Miami, Florida.
6. There were no substances seized in connection with this case, nor are there any reports of mental examinations.

B. DEMAND FOR RECIPROCAL DISCOVERY: The United States requests

the disclosure and production of materials enumerated as items 1, 2 and 3 of Section B of the Standing Discovery Order. This request is also made pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.

C. The government will disclose any information or material which may be favorable on the issues of guilt or punishment within the scope of Brady v. Maryland, 373 U.S. 83 (1963), and United States v. Agurs, 427 U.S. 97

(1976).

- D. The government will disclose any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses, within the scope of Giglio v. United States, 405 U.S. 150 (1972), or Napue v. Illinois, 360 U.S. 264 (1959).
- E. The co-defendant in this case, Lucie Faubert, has pled guilty to conspiring with the defendant to smuggle aliens into the United States for the purpose of prostitution and will testify at trial against the defendant. The government has no knowledge of any prior convictions of Ms. Faubert.
- F. The defendant was not identified in a lineup, show up, photo spread or similar identification proceeding.
- G. The government has advised its agents and officers involved in this case to preserve all rough notes.
- H. The government will timely advise the defendant of its intent, if any, to introduce during its case in chief proof of evidence pursuant to F.R.E. 404(b). You are hereby on notice that all evidence made available to you for inspection, as well as all statements disclosed herein or in any future

discovery letter, may be offered in the trial of this cause, under F.R.E. 404(b) or otherwise (including the inextricably-intertwined doctrine).

- I. The defendant is an aggrieved person, as defined in Title 18, United States Code, Section 2510(11), that is, a person who was a party to any intercepted wire or oral communication. This response hereby serves as notice pursuant to Title 18, United States Code, Section 2518(8)(d) that the defendant was intercepted in a Title III wiretap interception, as set forth in paragraph A.1., above. The defendant's conversations were intercepted in the period between May 26, 1999, through June 25, 1999. Tapes of the defendant's conversations, and the intercepted conversations of other persons who discuss the defendant, have been made available to defense counsel. Transcripts of intercepted conversations in the Czech language are being prepared and will be made available at the discovery conference or as soon as they are complete.
- J. The government has ordered transcribed the Grand Jury testimony of all witnesses who will testify for the government at the trial of this cause.
- K. There was no alleged contraband which is the subject of this indictment.
- L. An automobile and boat were seized in this case.

M. The government is not currently aware of any latent fingerprints or palm prints which have been identified by a government expert as those of the defendant.

N. To date, the government has not received a request for disclosure of the subject-matter of expert testimony that the government reasonably expects to offer at trial.

O. The government will make every possible effort in good faith to stipulate to all facts or points of law the truth and existence of which is not contested and the early resolution of which will expedite trial. These stipulations will be discussed at the discovery conference.

P. At the discovery conference scheduled in Section A.5, above, the government will seek written stipulations to agreed facts in this case, to be signed by the defendant and defense counsel.

The government is aware of its continuing duty to disclose such newly discovered additional

information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

By: SCOTT E. RAY
Assistant United States Attorney
Florida Bar No. 802050
99 Northeast 4th Street
Miami, Florida 33132-2111
Tel: (305) 961-9033
Fax: (305) 536-7213

cc: Special Agent Glen Kelly
FBI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by hand
this June 13, 2001, to:.

Nathan Diamond, Esq.
1221 Brickell Avenue
Suite 1020
Miami, FL 33131


SCOTT E. RAY
Assistant United States Attorney

CRIMINAL MINUTES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HONORABLE FEDERICO A. MORENO Presiding

Case No. 00-131-CR-MORENO Date: 6/26/2001

Clerk: Marilyn Carter Reporter: Andy Schwartz

USPO: _____ Interpreter: _____

UNITED STATES OF AMERICA vs. RONALD EPPINGER

FILED by HC D.C.

JUN 26 2001

AUSA: Scott Ray

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA.

Defendant(s) Counsel: Nathan Diamond

Defendant(s): Present _____ Not Present XX In Custody XX

Reason for hearing: Calendar Call for the two-week trial period beginning: 7/2/2001

Result of hearing: Defendant's ore tenus Motion to Continue trial was GRANTED;

Time is EXCLUDABLE pursuant to 18 U.S.C. 3161(h)(8).

Trial is continued to two-week period of: 9/10/2001 @ 9:00 AM PM

Calendar call is set for: 9/04/2001 @ 2:00 AM PM, written order to follow.

MISC: _____

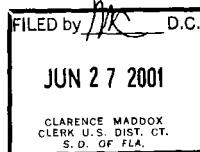


ko. + gr m. + schedoddl.+ jytrlddl. + calddl. + conjust.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-131-CR-MORENO

UNITED STATES OF AMERICA,
Plaintiff,
Vs.
RONALD EPPINGER,
Defendant(s)/



ORDER CONTINUING TRIAL

THIS CAUSE comes before the Court on

Defendant's Motion For Continuance filed June 26, 2001.

After careful consideration and the Court having been fully advised in the premises, it is

ORDERED AND ADJUDGED that the motion is **GRANTED** and the trial is **reset** for the two-week period commencing

Monday, September 10, 2001

before the Honorable **Federico A. Moreno**, United States District Judge, Courtroom 4, 10th Floor, Federal Justice Building, 99 NE 4th Street, Miami, Florida.

Call of the Calendar will be held at **2:00 p.m., Tuesday, September 4, 2001.**

The Court finds that the interest of justice served by granting a continuance to allow counsel for the defendant reasonable time necessary for effective preparation for trial out weighs any interest of the public or the defendant in a speedy trial. The Court finds the period of delay (**from 7/2/01 - 9/10/01**) excludable in calculating the period within which trial must commence under the Speedy Trial Act. See, 18 U.S.C. Section 3161.

DONE AND ORDERED in Open Court at Miami, Florida, this 26th day of June, 2001.


FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

cc: PTS
AUSA Scott Ray
Nathan Diamond, Esq.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

01 AUG 15 PM 12 28

CASE NO.: 00-CR-00131-MORENO

CLERK U.S. DIST. CT.
S.D. FLA. - MIAMI

UNITED STATES OF AMERICA, *

Plaintiff, *

vs. *

RONALD R. EPPINGER, *

Defendant. *

**EMERGENCY MOTION FOR FORTY-EIGHT (48) HOUR
FURLough TO ATTEND FUNERAL SERVICE**

COMES NOW the Defendant, RONALD R. EPPINGER, by and through his undersigned attorney, and moves this Honorable Court for an order allowing the defendant a forty-eight (48) hour furlough to attend funeral services for his father, and would state;

1. The defendant is charged in a multi-count indictment with conspiracy to import an alien for the purposes of prostitution in violation of Title 8, U.S.C. §1328; employed an alien for the purpose of prostitution in violation of Title 8, U.S.C. §1328 and Title 18, U.S.C. §2, persuaded to travel in foreign commerce to engage in prostitution in violation of Title 18, U.S.C. §2422(a) and money laundering in violation of Title 18 U.S.C. §1956(a)(1)(A)(I) and 2.

2. On May 14, 2001 the defendant was ordered pre-trial detained by the Honorable Magistrate Judge Andrea M. Simonton.

3. That subsequent to his arraignment the defendant has entered into plea negotiations with the United States government resulting in a plea agreement. Consistent with the plea agreement, it is the intent of the defendant to enter his guilty plea consistent with the terms and conditions of the plea agreement upon the return of Assistant United States Attorney, Scott Ray from his vacation. As a result of Mr. Ray's absence from the district the undersigned in an effort in good faith to resolve by agreement the subject matter has been unable to obtain Mr. Ray's position on the instant motion.

4. The defendant's father, Robert Moyer, passed away on August 13, 2001 at 10:30 p.m. His wake services will be on Thursday, August 16, 2001 at Mercendante Funeral Home between 8:30 a.m. and 9:30 a.m., followed by a Mass at St. Jorge's Cathedral on 30 Anna Street in Worcester, Massachusetts and finally the burial. The family has made flight arrangements for Mr. Eppinger and an itinerary is attached hereto.

5. If the court requires the presence of the United States Marshall on the flight to Massachusetts or at the funeral, the defendant will defray all costs for the presence of the United States Marshall.

WHEREFORE, the Defendant, RONALD EPPINGER, moves this Honorable Court to grant his Emergency Motion for Forty-Eight (48) hour furlough to attend funeral services.

Respectfully submitted,

NATHAN P. DIAMOND, P.A.

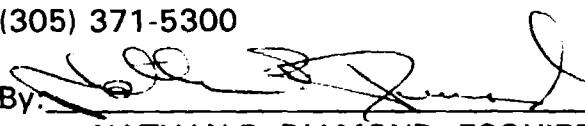
Florida Bar No.: 146503

1221 Brickell Avenue

Suite 1020

Miami, Florida 33131

(305) 371-5300

By: 

NATHAN P. DIAMOND, ESQUIRE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the defendant's Emergency Motion for Forty-Eight (48) hour Furlough to Attend Funeral Services was hand-delivered this 15th day of August, 2001 to Scott Ray, Assistant United States Attorney, 99 Northeast Fourth Street, Miami, Florida 33132.

By: 

NATHAN P. DIAMOND, ESQUIRE

08/14/2001 16:40 9847974603

ANCIENT CITY TRAVEL

PAGE 01

INVOICE NUMBER 0000016386

15 1

ANCIENT CITY TRAVEL SOUTH INC
4478 US 1 SOUTH STE102
SAINT AUGUSTINE FL 32086
904 797 6424

AGENT DR/AG BOOKING REF X996WU
16357
EPPINGER/RONALD

DATE: AUG 14 2001

SERVICE	DATE	FROM	TO	DEPART	ARRIVE
US AIRWAYS US 2828 K	15AUG	FT LAUDERDA FL	BOSTON MA	1230P	356P
	WED	FLL INTL	LOGAN INTL		
		CRP: BOEING 737-200 MIXED CONFIGURATION			
		SEAT 09C CONFIRMED			
US AIRWAYS US 2929 U	17AUG	BOSTON MA	FT LAUDERDA FL	105P	525P
	FRI	LOGAN INTL	FLL INTL		
		CRP: BOEING 737-200 MIXED CONFIGURATION			
		SEAT 04B CONFIRMED			
AIR FARE 167.44		TAX 24.06		TOTAL USD	191.50
		SERVICE FEE/MCO USD			10.00
				INVOICE TOTAL USD	201.50

TICKET PAYMENT CC#14384340005993645/0403/A014721

MCO PAYMENT: EPPINGER/RONALD CC#14384340005993645/0403/A014593

RESERVATION NUMBER(S) US/CYATTK

EPPINGER/RONALD
EPPINGER/RONALD

TICKET#US/ETKT 037 /092956387
MCO# 890 8133904765

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

Plaintiff,

-v-

Donald Eppinger
Defendant.

CASE # 00-131-CR-FAM

FILED by *VTC* D.C.

AUG 24 2001

CLARENCE MAUDOX
CLERK U.S. DIST. CT.
S.D. OF FLA.

CHANGE OF PLEA MINUTES

On 8/22/01 the above-named Defendant appeared in person before the Honorable Federico A. Moreno, United States District Judge, with Nathan Diamond, Counsel appointed by the Court/retained by the Defendant, and said Defendant stated in Open Court that he she desired to withdraw the plea of not guilty heretofore entered and desired to enter a plea of guilty as to Count(s) 3, 4, 12 of the Indictment Information.

After the Defendant was duly sworn, the Court made inquiry as to guilt. The Court, being satisfied there was a factual basis for the plea, accepted the plea of guilty and found the Defendant guilty as charged.

Whereupon:

The Court proceeded to pronounce sentence.

The Court postponed sentencing until 11-7-01 @ 9:00 AM;

and the Defendant allowed to remain on present bond until then;

and the Defendant was remanded to the custody of the U.S. Marshal until a \$ _____ bond is posted;

and the Defendant was remanded to the custody of the U.S. Marshal awaiting sentencing.

The U. S. Attorney announced Count(s) all Remaining would be dismissed on the government's motion at sentencing.

Reporter Brynn Dockstader

Clerk Marilyn Carter

AUSA Scott Bay

INTERP Q

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

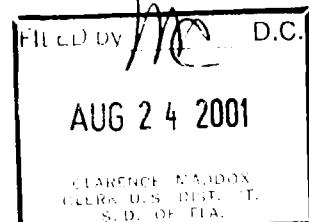
UNITED STATES OF AMERICA

vs.

Donald Eppinger

CASE NO. 00-131-CR Moreno

NOTICE OF SENTENCING DATE



TO: DEFENDANT, DEFENSE COUNSEL, AND U.S. ATTORNEY'S OFFICE

By the direction of the Honorable Federico A. Moreno
 United States District Judge, YOU ARE HEREBY ORDERED to appear in the United States District Court for the Southern
 District of Florida on Nov. 7, 2001 at 9:00 A M. for imposition of sentence. On
 that date, report to the Federal Justice Building, Courtroom 4 (10th Floor), 99 N.E. 4th Street,
 Miami, FL 33132, where sentence will be imposed. You will receive no further notice.

If the above-named defendant has executed a bond with this Court, let this notice advise the defendant that failure to appear
 as directed herein could result in his/her being charged with a violation of the Comprehensive Crime Control Act (18 U.S.C. Sec.
 3146), which carries a maximum sentence of up to ten (10) years imprisonment and a fine of \$250,000, or both, if convicted.

IT IS FURTHER ORDERED that a Presentence Investigation and Report to this Court will be completed. DEFENSE
 COUNSEL ARE TO REPORT THIS DATE TO THE UNITED STATES PROBATION OFFICE OF THE COURT FOR
 INTERVIEW AND FURTHER INSTRUCTION TO ROOM 315 OF THE OLD COURTHOUSE. IF ON BOND, THE
 DEFENDANT SHALL REPORT TO THE PROBATION OFFICE ALSO.

IT IS FURTHER ORDERED that the U.S. Attorney's Office immediately provide the U.S. Probation Department the
 necessary information to prepare the Prosecution Section of the Presentence Report.

Clerk, United States District Court

BY: Maile East
Courtroom Deputy ClerkDATE: 8/22/01
COUNSEL: Nathan DiamondRECEIVED: _____
(Defendant)

GUILTY PLEA	<input checked="" type="checkbox"/>	BOND	<input type="checkbox"/>
TRIAL	<input type="checkbox"/>	FEDERAL CUSTODY	<input type="checkbox"/>
NOLO PLEA	<input type="checkbox"/>	STATE CUSTODY	<input type="checkbox"/>
		U.S.M. CUSTODY	<input checked="" type="checkbox"/>

 TO COUNT(S) 3, 4 + 12
 TO TOTAL COUNTS Three
 ASST. U.S. ATTY Scott Ray
Copies to:
United States Attorney
Probation Department
Defense CounselUnited States Marshal
Pre-Trial Services
Defendant31d

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-131-CR-MORENO/DUBE

01 AUG 27 PM 12:52

U.S. DISTRICT COURT
MIAMI

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD R. EPPINGER,

Defendant.

**GOVERNMENT'S MOTION FOR A
PRELIMINARY ORDER OF FORFEITURE**

The United States of America moves for entry of a preliminary order of forfeiture pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853, and in support thereof state that:

1. On February 24, 2000, a federal grand jury returned the Indictment in this case charging the defendant Ronald R. Eppinger (hereinafter "defendant") with, inter alia, in Count 12, money laundering criminally derived property of a value greater than \$10,000.00, which property was derived from a specified unlawful activity, that is, knowingly persuading, inducing, enticing and coercing an individual to travel in interstate commerce to engage in prostitution, in violation of 18 U.S.C. § 2422(a). [D.E. 3].

2. The Indictment further sought the forfeiture of all property, real or personal, involved in such offense, or any property traceable to such property, pursuant to 18 U.S.C. § 982. Such forfeiture included, but was not limited to the following: a 33-foot Donzi motor vessel, hull number DMRFB104C888, in that such vessel is property which was obtained with \$30,000.00 of proceeds involved in, and derived directly and indirectly from, the offenses charged. [D.E. 3].



3. On August 22, 2001, defendant pled guilty to Counts 3, 4 and 12 of the indictment and agreed to forfeit to the United States the 33-foot Donzi motor vessel, hull number DMRFB104C888. Defendant agreed that the aforementioned property was property involved in or traceable to violations of 18 U.S.C. § 1957 to which he pled guilty. [D.E.].

4. By the defendant's guilty plea, the Court is authorized to find that the defendant's interest in the above-referenced property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853.

5. Title 18, United States Code, Section 982(a)(2)(B), provides in part as follows:

The court, in imposing sentence on a person convicted of an offense in violation of section ... 1957 ... of this title, shall order that the person forfeit to the United States any property, real or personal, involved in such offense, or any property traceable to such property....

6. Title 18, United States Code, Section 982(b)(1), provides in part as follows:

The forfeiture of property under this section, including any seizure and disposition of the property ... shall be governed by the provisions of section 413 (other than subsection (d) of that section) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. § 853).

7. Fed. R. Crim. P. 32.2 (b)(2) provides that once the court finds that property is subject to forfeiture:

it shall promptly enter a preliminary order of forfeiture setting forth the amount of any money judgment or directing the forfeiture of specific property without regard to any third party's interest in all or part of it. Determining whether a third party has such an interest shall be deferred until any third party files a claim in an ancillary proceeding under Rule 32.2(c).

8. Fed. R. Crim. P. 32.2(3) provides:

The entry of a preliminary order of forfeiture authorizes the Attorney General (or a designee) to seize the specific property subject to forfeiture; to conduct any discovery the court considers proper in identifying, locating or disposing of the property; and to commence proceedings that comply with any statutes governing third-party rights. At sentencing -- or at any time before sentencing if the defendant consents -- the order of forfeiture becomes final as to the defendant and shall be made a part of the sentence and included in the judgment. The court may include in the order of forfeiture conditions reasonably necessary to preserve the property's value pending any appeal.

9. It appears from the record in this matter that an order of forfeiture has not been entered.

Before the agreed upon forfeiture can be accomplished, the United States pursuant to such an order must publish notice of the forfeiture to address any claims.

WHEREFORE, the United States respectfully requests entry of the attached preliminary order of forfeiture and for such other and further relief as is just and proper.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

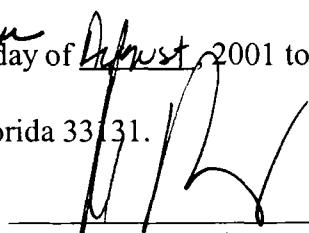
BY:

MICHELLE B. ALVAREZ
ASSISTANT UNITED STATES ATTORNEY
FL. Bar No. 615617
99 N.E. 4th Street
Miami, Florida 33132-2111
Tel: (305)961-9088
Fax: (305)536-7599

E-Mail Address:
MICHELLE.ALVAREZ@USDOJ.GOV

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Entry of Preliminary Order of Forfeiture was mailed this 22nd day of August, 2001 to: Nathan P. Diamond, Esq., 1221 Brickell Avenue, Suite 1020, Miami, Florida 33131.


MICHELLE B. ALVAREZ
ASSISTANT UNITED STATES ATTORNEY

cc: AUSA Scott E. Ray

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-131-CR-MORENO/DUBE

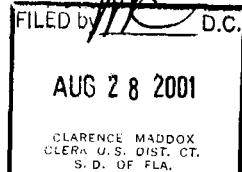
UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD R. EPPINGER,

Defendant.



PRELIMINARY ORDER OF FORFEITURE

THIS CAUSE is before the Court upon motion of the United States for entry of a preliminary order of forfeiture. Being fully advised in the premises, the Court finds as follows:

1. On February 24, 2000, a federal grand jury returned the Indictment in this case charging the defendant Ronald R. Eppinger (hereinafter "defendant") with, inter alia, in Count 12, money laundering criminally derived property of a value greater than \$10,000.00, which property was derived from a specified unlawful activity, that is, knowingly persuading, inducing, enticing and coercing an individual to travel in interstate commerce to engage in prostitution, in violation of 18 U.S.C. § 2422(a). [D.E. 3].

2. The Indictment further sought the forfeiture of all property, real or personal, involved in such offense, or any property traceable to such property, pursuant to 18 U.S.C. § 982. Such forfeiture included, but was not limited to, the following: a 33-foot Donzi motor vessel, hull number

DMRFB104C888, in that such vessel is property which was obtained with \$30,000.00 of proceeds involved in, and derived directly and indirectly from, the offenses charged. [D.E. 3].

3. On August 22, 2001, defendant pled guilty to Counts 3, 4 and 12 of the indictment and agreed to forfeit to the United States a 33-foot Donzi motor vessel, hull number DMRFB104C888. Defendant agreed that the aforementioned property represents property involved in or traceable to violations of 18 U.S.C. § 1957 to which he pled guilty. [D.E.].

4. By the defendant's guilty plea, this Court is authorized to find that the defendant's interest in the above-referenced property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853.

5. It appears from the record in this matter that an order of forfeiture has not been entered. Before the agreed upon forfeiture can be accomplished, the United States, pursuant to such an order, must publish notice of the forfeiture to address any claims.

Therefore, in consideration of the Plea Agreement between defendant Ronald R. Eppinger and the United States, and upon motion of the United States and for good cause shown thereby, it is hereby

ORDERED that pursuant to 18 U.S.C. § 982, all right, title, claim and interest of defendant Ronald R. Eppinger in a 33-foot Donzi motor vessel, hull number DMRFB104C888, is hereby forfeited to the United States as property involved in or traceable to violations of 18 U.S.C. § 1957.

It is further

ORDERED that the Federal Bureau of Investigation and or any authorized officer of the United States shall seize and take custody of the 33-foot Donzi motor vessel, hull number DMRFB104C888, forfeited to the United States pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853.

It is further

ORDERED that in accordance with the law, the United States shall cause to be published at least once, in a newspaper of general circulation, notice of this Order, notice of its intent to dispose of the subject property in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in the aforementioned U.S. currency must file a petition with the Court within thirty (30) days of the final publication of the notice or receipt of actual notice, whichever is earlier. The United States shall:

1. State in the notice that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought; and

2. to the extent practicable, provide direct written notice to any person known to have an alleged interest in the property that is subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified. It is further

ORDERED that upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n) in which all interests will be addressed. If no

claims are filed within 30 days of the final publication or receipt of actual notice, whichever is earlier, then, this Order shall be deemed a final order of forfeiture, and the Federal Bureau of Investigation and or its designee shall dispose of the forfeited property in accordance with the law.

DONE AND ORDERED at Miami, Florida this 27 day of August, 2001.


FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

cc: AUSA Scott E. Ray
AUSA Michelle B. Alvarez (2 certified copies)
Nathan P. Diamond, Esq.

MBA:ar

JK
FILED
D.C.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 00-131-CR-MORENO/DUBE

01 SEP 20 PM 2:15

CLARK LACEY ADDOX
CLERK U. S. DIST. CT.
S.D. OF FLA - MIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD R. EPPINGER,

Defendant.

/

PROOF OF PUBLICATION OF NOTICE OF FORFEITURE

The United States gives Notice of filing the attached Proof of Publication of Notice of Forfeiture.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

BY:

GUY A. LEWIS
MICHELLE B. ALVAREZ
Assistant U.S. Attorney
Florida Bar No. 615617
99 N.E. 4th Street
7th Floor
Miami, Florida 33132
Tel: (305) 961-9088
Fax: (305) 536-7599

Dated: 1/10/01

34

**NOTICE OF FORFEITURE
FOR PUBLICATION**

UNITED STATES DISTRICT
COURT SOUTHERN DISTRICT
OF FLORIDA
CASE NO. 00-0131-CR-
MORENO/DUBE
UNITED STATES OF AMERICA,
Plaintiff,

vs.
RONALD R. EPPINGER,
Defendant.

Notice is hereby given that on August 27, 2001, in the case of United States v. Ronald R. Eppinger, Case No. 00-0131-Cr-Moreno/Dube, the United States District Court for the Southern District of Florida entered a Preliminary Order of Forfeiture condemning and forfeiting the defendant's interest in the following property to the United States of America:

**33-foot Donzi motor vessel,
hull number DMRFB104C888.**

The foregoing Preliminary Order of Forfeiture having been entered on August 27, 2001, the United States hereby gives notice of its intention to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person having or claiming a legal right, title or interest in the aforementioned property must petition the District Court for the Southern District of Florida for a hearing to adjudicate the validity of his/her alleged interest in the property within thirty (30) days of the final publication of this notice pursuant to 21 U.S.C. § 853(n).

The petition shall be filed with the United States District Court for the Southern District of Florida in the above-styled case at the following address:

Clerk of Court
301 North Miami Avenue
Room 150
Miami, Florida 33128-7788

Copies of the petition shall also be served upon the United States Attorney to the attention of:

MICHELLE B. ALVAREZ
Assistant U.S. Attorney
U.S. Attorney's Office
99 N.E. 4th Street
7th Floor
Miami, Florida 33132

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

Respectfully submitted,
GUY A. LEWIS
UNITED STATES ATTORNEY
BY: **MICHELLE B. ALVAREZ**
ASSISTANT U.S. ATTORNEY
FLA. BAR #615617
99 N.E. 4TH STREET
MIAMI, FLORIDA 33132-2111
TEL. (305) 961-9088
FAX. (305) 536-7599

9/17 01-4-65/197625M

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared SOOKIE WILLIAMS, who on oath says that she is the VICE PRESIDENT, Legal Notices of the Miami Daily Business Review f/k/a Miarni Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

00-131-CR-MORENO/DUBE
NOTICE OF FORFEITURE FOR PUBLICATION
UNITED STATES OF AMERICA VS. RONALD R. EPPINGER

in the U.S. DISTRICT Court,
was published in said newspaper in the issues of

09/17/2001

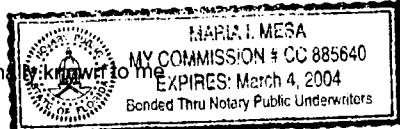
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sookie Williams

Sworn to and subscribed before me this

17 day of SEPTEMBER , A.D. 2001

(SEAL)



U.S. Department of Justice

United States Marshals Service OCT -3 PM 4:12 See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF UNITED STATES OF AMERICA	SOUTHERN DISTRICT OF FLORIDA MIAMI, FLORIDA	COURT CASE NUMBER 00 01-0131-Cr-FAM
DEFENDANT Ronald Eppinger, et al	TYPE OF PROCESS Preliminary Order of Forfeiture	
SERVE →	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN 33-foot Donzi motor vessel, hull # DMRFB104C888	
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) U.S. Marshals Service, Miami, FL 33130	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	
Michelle B. Alvarez, AUSA 99 NE 4th Street Suite 700 Miami, Florida 33132	Number of process to be served with this Form - 285 1
	Number of parties to be served in this case 1
	Check for service on U.S.A. X

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

29-FBI-003182

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (305)961-9088	DATE 9/28/01
--	---	-----------------------------------	-----------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. 4	District of Origin No. 4	District to Serve No. 4	Signature of Authorized USMS Deputy or Clerk DFG	Date 10/03/01
---	------------------------	-----------------------------	----------------------------	---	------------------

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
--	---

Address (complete only if different than shown above)	Date of Service 10/03/01	Time 4:12 pm
---	-----------------------------	-----------------

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

VESSEL ALREADY SEIZED ON ADMINISTRATIVE SEIZURE, (JUNE 30, 1999);
NOW BEING SERVED ON JUDICIAL ORDER, (OCTOBER 3, 2001).

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

LED BY *[Signature]*
01 OCT 25 PM 1:20

U.S. DIST. CT.
S.D. OF FLA - FRA

CASE NO. 00-131-Cr-Moreno

UNITED STATES OF AMERICA

v.

RONALD EPPINGER

/

GOVERNMENT'S OBJECTIONS TO THE PRESENTENCE INVESTIGATION REPORT

The United States hereby files its response to the Presentence Investigation Report ("PSI").

The government respectfully disagrees with the probation office's decision to use charged and uncharged conduct outside the plea agreement and indictment to determine the total offense level under the federal sentencing guidelines.

I. Objections

In paragraph 165 of the PSI, the probation office calculates the total offense level at 30, pursuant, in part, to Section 3D1.2(d) of the Guidelines Manual. Section 3D1.2 of the guidelines provides that "[a]ll *counts* involving substantially the same harm shall be grouped together into a single Group." U.S.S.G. § 3D1.2. "In essence, *counts* that are grouped together are treated as constituting a single offense for purposes of the guidelines." U.S.S.G. Ch. 3, Pt. D intro. commentary (emphasis added).

The guideline language critical to evaluating the probation office's offense level computation is the guideline's repeated use of the word "counts." The defendant in the instant case pled guilty

[Handwritten signature]

to three counts of the indictment. Accordingly, any grouping analysis should be confined to the three counts of conviction.

The probation office has taken two counts, smuggling aliens for the purpose of prostitution, and interstate travel for purposes of prostitution, and expanded them into seventeen groups. To create the 17 new groups, the probation office relied upon Section 2G.1.1(d)(1) Special Instruction, which provides:

... if the offense involved more than one victim, Chapter Three, Part D (Multiple Counts) shall be applied as if the promoting of prostitution or prohibited sexual conduct in respect to each victim had been contained in a separate count of conviction.

Section 2G1.1(d)(1) Special Instruction.

Eppinger pled guilty to one count of importing an alien for the purpose of prostitution, in violation of Title 18, United States Code, Section 1328, and one count of persuading an individual to travel in interstate commerce to engage in prostitution, a violation of 18 U.S.C. § 2422(a). It is significant that the overt acts described in those counts of the indictment refer only to a single person. In adjusting the base offense level, the probation office relied in part upon uncharged offenses, a practice nowhere endorsed by Section 3D1.4, in order to support the inclusion of seventeen victims in the guideline calculation. See e.g., United States v. MacLeod, 80 F.3d 860, 864 (3rd Cir. 1996).

The government believes that the defendant helped recruit additional aliens to work as prostitutes, and then facilitated their movement across state lines in violation of the Mann Act. Whether those allegations could be proven beyond a reasonable doubt, or indeed, a reasonable certainty, is another matter entirely. In fact, the government would have to overcome significant

evidentiary obstacles, including missing witnesses, to prove at trial, or even by a preponderance at sentencing, that Eppinger smuggled seventeen aliens into the country for purposes of prostitution, or violated the Mann Act seventeen times.¹ The plea agreement includes one count of smuggling a single alien for purposes of prostitution, and one count of violating the Mann Act. Accordingly, the government believes that the proper base offense level for counts three and four should be 14, pursuant to Section 2G1.1.

II. Guideline Calculation

As mentioned above, Section 3D1.1 of the Guidelines establishes a three-step procedure for determining the combined offense level in a case involving multiple counts of conviction. First, all counts of conviction are separated into distinct "groups" of "closely related" counts according to the rules set forth in Section 3D1.2. Second, each group is assigned an offense level based on the count with the highest offense level in the group according to the rules specified in Section 3D1.3. Third, if there is more than one group, the combined offense level is determined under Section 3D1.4 by taking the offense level applicable to the group with the highest offense level and increasing that offense level according to "units" assigned to each group.

Eppinger pled guilty to counts three, four, and 12 of the indictment. Count three charges Eppinger with importing an alien for the purposes of prostitution, in violation of 8 U.S.C. § 1328. The applicable guideline is Section 2G.1, which mandates a base offense level of 14. The probation office added four levels because Eppinger was "an organizer or leader of a criminal activity that involved five or more participants," pursuant to Section 3B1.1(a).

¹ The government does not object to the Court's consideration of Eppinger's related criminal activity as relevant conduct under Section 1B1.3 to determine the guideline range.

Section 3B1.1(a) is inapplicable here because there were not five or more participants involved in the count of conviction, here, alien smuggling. As made clear in the PSI, Eppinger was aided by two other conspirators, Lucie Faubert and Tereza Benesova, both of whom pled guilty to alien smuggling. The government is aware of no other participants in the smuggling activity.²

The second count of conviction is count 4, which charges Eppinger with persuading an individual to travel in interstate commerce to engage in prostitution, in violation of 18 U.S.C. § 2422(a). The applicable guideline remains Section 2G.1, which mandates a base offense level of 14. Again, no role adjustment is warranted because there is no evidence that five or more participants were involved in violating the Mann Act.

The final count of conviction is count 12, which charges Eppinger with engaging in a monetary transaction with property derived from an unlawful activity, in violation of 18 U.S.C. § 1957. The applicable guideline here is Section 2S1.2, which mandates a base offense level of 17.³ Because Eppinger was aware that the funds he laundered were proceeds from prostitution, a specified unlawful activity, the base level is adjusted upward by two levels pursuant to Section 2S1.2b)(1)(2), for an adjusted offense level of 19.

To determine the combined adjusted offense level, the individual counts are grouped, or not grouped, depending upon the underlying offense conduct. The Guidelines do not require grouping

² Section 3B1.1, application note 1 defines a “participant” as a person who is criminally responsible for the commission of the offense. The prostitutes themselves cannot be held criminally responsible for their being smuggled or later traveling in interstate commerce for prostitution. United States v. Hernandez-Rodriquez, 975 F.2d 622, 626 (9th Cir.1992); 8 U.S.C. § 1324.

³ The probation office incorrectly used Section 2S1.1 to determine the base offense level. Section 2S1.1 applies to convictions under 18 U.S.C. § 1956. Eppinger pled guilty to violating 18 U.S.C. § 1957, which is covered by Section 2S1.2.

in all situations. Where, as here, counts three and four involved different victims, and were separated in time and place, grouping is not appropriate. U.S.S.G. § 3D1.2. In United States v. Rugh, 968 F.2d 750, 755 (8th Cir.1992) the court stated, "The primary focus in determining whether counts involve substantially the same harm, and therefore should be grouped, is whether the counts involve the same victim and same act or transaction."

To calculate the combined offense level, the Court should begin with the count of conviction, or group, with the highest offense level, count 12, with a base level of 19. Because counts 3 and 4 do not group, they each constitute one-half unit each.⁴ Adding one additional unit results in no increase in the combined offense level. Accordingly, Eppinger's combined offense level is 19, minus three levels for acceptance of responsibility, for a total offense level of 16.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

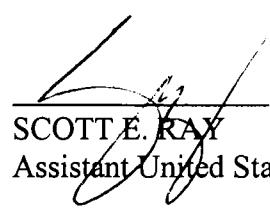
By: SCOTT E. RAY
Assistant United States Attorney
Florida Bar No. 802050
99 Northeast 4th Street
Miami, Florida 33132-2111
Tel: (305) 961-9033
Fax: (305) 530-7976

⁴ Under Section 3D1.4(b), counts 3 and 4 are counted together as one unit because they are five levels less serious than the group with the highest offense level, 19.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by
United States mail this October 25, 2001, to:

Nathan Diamond, Esq.
1221 Brickell Avenue
Suite 1020
Miami, FL 33131


SCOTT E. RAY
Assistant United States Attorney

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF FLORIDA
 Sentencing Minutes for Hon. Federico A. Moreno

DATE 11/7/01 DEFT Ronald Eppinger CASE# 00-131-CR-FAM

REPORTER Andy Schwartz CLERK Marilyn Carter

AUSA Scott Ray DEFT. COUNSEL N. Diamond

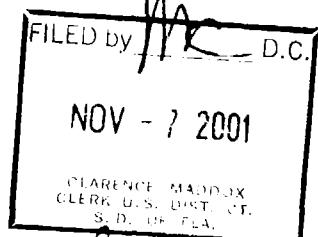
USPO Maria Monge INTERPRETER -

() Deft. failed to appear - warrant to issue. Bond forfeited.

() Sentencing continued until _____ at _____

JUDGMENT AND SENTENCE

Imprisonment: 21 mos conc. w/each other



Custody of Defendant:

Remanded to the United States Marshal

() Voluntary Surrender to (designated institution or U. S. Marshal) on _____

() Defendant released on _____ bond pending appeal

Commitment recommendation: S. Fla facility

Supervised Release: 3 yrs

Assessment: \$100 x 3

Other: (Fine, restitution, etc.) \$6,000. to be pd during Supervised Release

Additional comments: all remaining cts dismissed

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO. 00-131-Cr-Moreno

UNITED STATES OF AMERICA

v.

RONALD EPPINGER

GOVERNMENT'S MOTION TO CORRECT JUDGMENT IN A CRIMINAL CASE

The United States of America moves, pursuant to Fed. R. Cr. P. 35(c) for a corrected judgment in a criminal case to include the forfeiture on the judgment and in support thereof, states:

1. On November 7, 2001, the Defendant was sentenced. Prior to the sentencing, the government had filed a Preliminary Order of Forfeiture on August 27, 20001. The preliminary order became the final order after no claims were filed by third-party petitioners. In its motion, the government also requested that the forfeiture be made part of the sentencing judgment.

2. This Court granted the Government's written motion on August 28, 20001, and entered an **Order of Forfeiture** in favor of the United States forfeiting the Defendant's interest in the 33-foot Donzi motor vessel, hull number DMRFB104C888.

3. Although the final order of forfeiture was self-executing, the forfeiture was inadvertently not noted in the

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m

applicable paragraph on page six of the Judgment in a Criminal Case.

4. Pursuant to Fed. R. Cr. P. 35(c), the Court may correct a sentence that was imposed as a result of, inter alia, a technical error.

5. The Government moves that the Judgment reflect the following on page six:

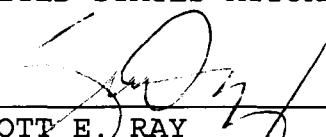
"The defendant shall forfeit the defendant's interest in the following property to the United States:

A 33-foot Donzi motor vessel, hull number DMRFB104C888."

WHEREFORE, the United States respectfully moves for a corrected Judgment in a Criminal Case to include the forfeiture of defendant's interest in the currency.

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

BY: 

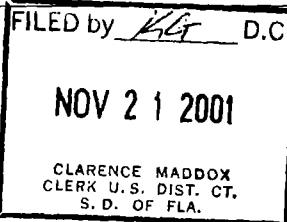
SCOTT E. RAY
ASSISTANT U.S. ATTORNEY
FLA. BAR NO. 0802050
99 NE 4TH STREET
MIAMI, FLORIDA 33132-2111
TEL: (305) 961-9033
FAX: (305) 530-7976

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
Government's Motion to Correct Judgment in a Criminal Case was
mailed this 19TH day of November 2001 to:

Nathan Diamond, Esq.
1221 Brickell Avenue
Suite 1020
Miami, FL 33131


SCOTT E. RAY
Assistant United States Attorney



United States District Court
Southern District of Florida
MIAMI DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

v.

RONALD R. EPPINGER

Counsel For Defendant: Nathan Diamond, Esq.
 Counsel For The United States: Scott Ray
 Court Reporter: Anton B. Schwartz

The defendant pleaded guilty to Count 3, 4 and 12 of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

TITLE/SECTION NUMBER	NATURE OF OFFENSE	DATE OFFENSE CONCLUDED	COUNT
8 U.S.C. § 1328	importing an alien for the purposes of prostitution	5/1/99	THREE
18 U.S.C. § 2422(a)	coercing an individual to travel in interstate commerce to engage in prostitution	4/22/98	FOUR
18 U.S.C. § 1957	engaging in monetary transactions with property derived from an unlawful activity	4/9/99	TWELVE

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) 1, 5, 6 - 11 and 13 are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 014-28-1355

Date of Imposition of Sentence:

Defendant's Date of Birth: 2/25/36

November 7, 2001

Deft's U.S. Marshal No.: 62230-004


FEDERICO A. MORENO
 United States District Judge

November 20, 2001



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **21 MONTHS as to each of counts 3, 4 and 12, to be served concurrently.**

The Court recommends to the Bureau of Prisons:

South Florida facility

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.
The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

No additional conditions of supervised release were imposed.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$300.00	\$6,000.00	\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SCHEDEULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

A. Lump sum payment of **\$300.00** due immediately. E. Special instructions regarding the payment of criminal monetary penalties:

Fine shall be paid during supervised release period at the direction of probation.

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the U.S. COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33128**

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

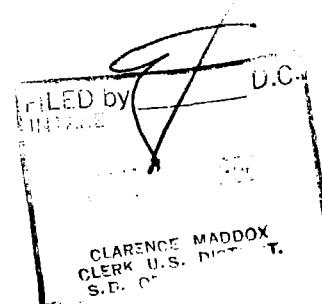
Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 00-CR-00131-MORENO

UNITED STATES OF AMERICA, *
Plaintiff, *
vs. *
RONALD R. EPPINGER, *
Defendant. *



AGREED MOTION TO MODIFY
JUDGMENT AND CONVICTION

COMES NOW the Defendant, Ronald Eppinger, by and through his undersigned attorney and moves this honorable court for an order modifying the judgment and conviction in the instant case so as to provide a statement from the court which would give the defendant credit for time served in Germany awaiting extradition in the instant case and as ground therefore alleges and states:

1. The Defendant, Ronald Eppinger, was arrested on December 11, 2000 in Frankfurt, Germany on a provisional warrant of arrest for the instant case. Said warrant was executed and issued at the behest of the United States government.
2. The Defendant, Ronald Eppinger, was incarcerated in Frankfurt, Germany pursuant to said warrant and remained incarcerated until May 11, 2001. Said incarceration was precipitated solely as a result of the federal charges for

which he now stands convicted pursuant to the judgment and conviction he now seeks to modify.

3. The Defendant's conviction results from his entry of a guilty plea consistent with the terms and conditions of a plea agreement. Said plea agreement resulted from a letter agreement entered into by the government and the defendant. (A copy of which is attached hereto).

4. At all times it was contemplated that the Defendant, Ronald Eppinger, would receive credit for all time served, both in this country and in Germany, as the time served in Germany was the result of the charges for which he plead guilty.

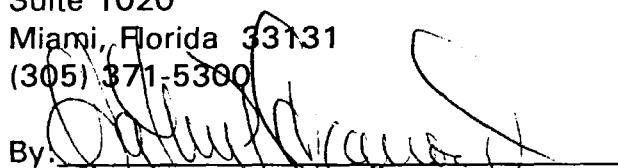
5. That the Defendant, Ronald Eppinger, went to a "team" meeting while incarcerated at the Federal Correctional Institute in Miami and was advised that he would only receive credit for the time while he was incarcerated in Germany only if ... "the court signed off on it..." .

6. The undersigned attorney has contacted Scott Ray, Assistant United States Attorney, in an effort in good faith to resolve by agreement the subject matter and he agrees the defendant should be credited with the time served from December 11, 2000 to May 11, 2001 in Frankfurt, Germany.

WHEREFORE the Defendant, moves this honorable court for an order granting him credit for all time served, from the time of his initial arrest on December 11, 2000 in Frankfurt, Germany and continuing thereafter.

Respectfully submitted,

NATHAN P. DIAMOND, P.A.
1221 Brickell Avenue
Suite 1020
Miami, Florida 33131
(305) 371-5300

By: 

NATHAN P. DIAMOND, ESQUIRE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Agreed Motion to Modify Judgement and Conviction was forwarded by mail this 10th day of January, 2002 to Scott Ray, Assistant United States Attorney, 99 Northeast Fourth Street, Miami, Florida 33132.

By: 

NATHAN P. DIAMOND, ESQUIRE

U.S. Department of Justice



United States Attorney
Southern District of Florida

99 N.E. 4 Street
Miami, FL 33132
(305) 961-9295

Nathan Diamond, Esq.
1221 Brickell Avenue
Suite 1020
Miami, FL 33131

June 27, 2001

Re: United States v. Eppinger, Case No. 00-131-CR-Moreno

Dear Nathan:

Pursuant to our discussions today, this letter will serve as a written confirmation of our plea discussions for your client, Ronald Eppinger. Please review the attached agreement and we can discuss any revisions or modifications upon our mutual return to the office from the Fourth of July holiday.

First, I have spoken with a probation officer regarding the grouping of the counts of conviction. Although counts 3 and 4 do not group, the end result for a plea to the three counts in the plea agreement is an offense level of 20, minus three for acceptance. An adjusted offense level of 17 translates into 24-30 months of imprisonment. We will stipulate to the low end, with an understanding that your client should, by any standard of fairness, be given credit for all time served, whether here or in a German jail.

If your client enters into the plea agreement, we will not recommend any upward adjustments to his base offense level for managerial role or vulnerable victim. I believe the evidence at trial will show that Mr. Eppinger managed and directed the prostitutes in his employ, and in return received 40 percent of their earnings.

I have included the standard cooperation language in the latest draft of the plea agreement. Although our first meeting with your client proved unsuccessful, we are amendable to meeting with him again on a future date should he wish to provide additional, more detailed information.

We agree that we could not prove at trial that the defendant imported more than six women from the Czech Republic for purposes of prostitution.

Sincerely,

GUY A. LEWIS
UNITED STATES ATTORNEY

By:

SCOTT E. RAY
ASSISTANT UNITED STATES ATTORNEY

DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 MONTHS as to each of counts 3, 4 and 12, to be served concurrently.

The Court recommends to the Bureau of Prisons:

South Florida facility

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on 12-18-01 to FCI - Miami
at _____, with a certified copy of this judgment.

Ed Gonzalez, Warden
UNITED STATES MARSHAL

By: J. Mason, Esq.
Deputy U.S. Marshal

41

KH

✓

U.S. 11 25, 2001

Page 1 of 6

RECEIVED

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA
MIAMI OFFICE

v.

RONALD R. EPPINGER

FILED by KLG D.C.

NOV 21 2001

CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA.JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 00-131-CR-MORENO

Counsel For Defendant: Nathan Diamond, Esq.
Counsel For The United States: Scott Ray
Court Reporter: Anton B. Schwartz

The defendant pleaded guilty to Count 3, 4 and 12 of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>DATE OFFENSE CONCLUDED</u>	<u>COUNT</u>
8 U.S.C. § 1328	importing an alien for the purposes of prostitution	5/1/99	THREE
18 U.S.C. § 2422(a)	coercing an individual to travel in interstate commerce to engage in prostitution	4/22/98	FOUR
18 U.S.C. § 1957	engaging in monetary transactions with property derived from an unlawful activity	4/9/99	TWELVE

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) 1, 5, 6 - 11 and 13 are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 014-28-1355

Date of Imposition of Sentence:

Defendant's Date of Birth: 2/25/36

November 7, 2001

Def't's U.S. Marshal No.: 62230-004

Certified to be a true and correct copy of the document on file
Clarence Maddox, Clerk,
U. S. District Court
Southern District of Florida
By Karen Gaskins
Deputy Clerk
Date 11/21/01


FEDERICO A. MORENO
United States District Judge
November 20, 2001

DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.
The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

No additional conditions of supervised release were imposed.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$300.00	\$6,000.00	\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

A. Lump sum payment of **\$300.00** due immediately. E. Special instructions regarding the payment of criminal monetary penalties:

Fine shall be paid during supervised release period at the direction of probation.

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the U.S. COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33128**

The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.



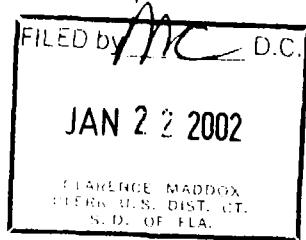
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-131-CR-MORENO

UNITED STATES OF AMERICA,
Plaintiff,

Vs.

RONALD EPPINGER,
Defendant.



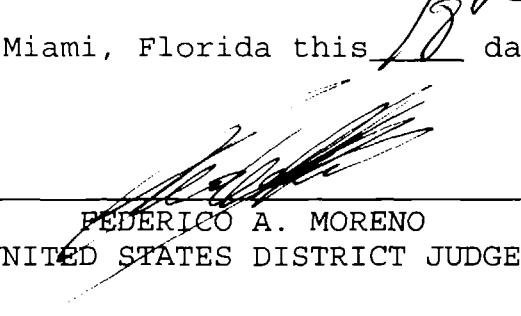
ORDER GRANTING AGREED MOTION TO MODIFY JUDGMENT

THIS MATTER is before the Court on the defendant's **Agreed Motion to Modify Judgment and Conviction** filed **January 11, 2002**.

After review of the record and the Court being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED that the Motion is **GRANTED**. The Judgment and Commitment dated 11/21/01 shall be modified to give the defendant **credit for the time served from December 11, 2000 to May 11, 2001** in Frankfurt, Germany.

DONE AND ORDERED in chambers at Miami, Florida this 12 day of January, 2001.


FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

CC:
AUSA Scott Ray
Nathan P. Diamond, Esq.
U.S. Marshal (2 certified copies)
Bureau of Prisons (2 certified copies)
U.S. Probation



United States District Court
Southern District of Florida
MIAMI DIVISION

UNITED STATES OF AMERICA

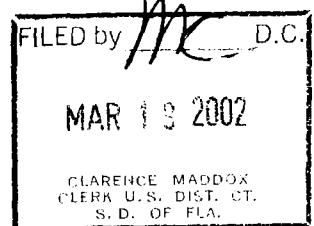
*AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

v.

Case Number: 00-131-CR-MORENO

RONALD R. EPPINGER

Counsel For Defendant: Nathan Diamond, Esq.
Counsel For The United States: Scott Ray
Court Reporter: Anton B. Schwartz



Date of Original Judgment: 11/7/2001

(or Date of Last Amended Judgment)

Reason for Amendment:

Correction of Sentence on Remand (Fed. R. Crim. P. 35(a))
 Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b)) 35(b)).
 Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(c))
 Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)
 Modification of Supervision Conditions (18 U.S.C. § 3563(c) or 3583(e))
 Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))
 Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))
 Direct Motion to District Court Pursuant to 28 U.S.C. § 2255
 18 U.S.C. § 3559(c)(7), or
 Modification of Restitution Order (18 U.S.C. § 3664)

The defendant pleaded guilty to Count 3, 4 and 12 of the Indictment.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>DATE OFFENSE CONCLUDED</u>	<u>COUNT</u>
8 U.S.C. § 1328	importing an alien for the purposes of prostitution	5/1/99	THREE
18 U.S.C. § 2422(a)	coercing an individual to travel in interstate commerce to engage in prostitution	4/22/98	FOUR
18 U.S.C. § 1957	engaging in monetary transactions with property derived from an unlawful activity	4/9/99	TWELVE

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) 1, 5, 6 - 11 and 13 are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 014-28-1355
Defendant's Date of Birth: 2/25/36
Deft's U.S. Marshal No.: 62230-004

Date of Imposition of Sentence:
November 7, 2001

Federico A. Moreno
FEDERICO A. MORENO
United States District Judge

March 18, 2002

DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **21 MONTHS as to each of counts 3, 4 and 12, to be served concurrently.**

The Court recommends to the Bureau of Prisons:

South Florida facility

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.
The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall also comply with the following additional conditions of supervised release:

No additional conditions of supervised release were imposed.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$300.00	\$6,000.00	\$

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.



DEFENDANT: RONALD R. EPPINGER
CASE NUMBER: 00-131-CR-MORENO

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A. Lump sum payment of **\$300.00** due immediately.
- E. Special instructions regarding the payment of criminal monetary penalties:

Fine shall be paid during supervised release period at the direction of probation.

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The assessment/fine/restitution is payable to the U.S. COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33128**

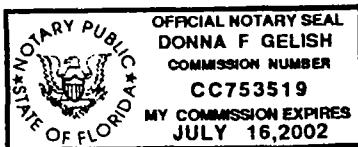
The assessment/fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

* The defendant shall forfeit the defendant's interest in the following property to the United States:

A 33-foot Donzi motor vessel, hull number DMRFB104C888

2115-0110

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-1356 (REV. 9-92)		BILL OF SALE BY GOVERNMENT ENTITY PURSUANT TO COURT ORDER OR ADMINISTRATIVE DECREE OF FORFEITURE		THIS SECTION FOR COAST GUARD USE ONLY
1. VESSEL NAME 33' Donzi Vessel "Pleasure"		2. OFFICIAL NUMBER OR OTHER UNIQUE IDENTIFIER DMRFB104C888		FILED BY <i>[Signature]</i> D. 02 APR 19 PM 3:41
3. PERSON EXECUTING INSTRUMENT NAME: Ava Gunter Gore		TITLE: Assistant Chief Deputy U.S. Marshal		CLARENCE HADDOX CLERK U.S. DIST. CT. S.D. OF FL - MIAMI
NAME AND ADDRESS OF AGENCY REPRESENTED (AND DISTRICT, IF APPLICABLE) U.S. Marshals Service, Southern District of Florida 301 N. Miami Avenue, Room 205, Miami, Florida 33128				
4. COURT OR FORFEITURE INFORMATION: 99-FBI-003182 / 00-131-CR-Moreno/Dube				
<input type="checkbox"/> VESSEL SOLD PURSUANT TO ADMINISTRATIVE FORFEITURE (COPY OF DECREE ATTACHED) <input checked="" type="checkbox"/> VESSEL SOLD PURSUANT TO COURT ORDER				
NAME OF COURT United States District Court Southern District of Florida		TITLE OF ORDER Final Order of Forfeiture		RECORDING DATA: BOOK: _____ PAGE: _____ PORT (IF DIFFERENT FROM FILING PORT) <i>[Handwritten notes: Court filing number, Date, Name, etc.]</i>
5. NAME(S) AND ADDRESS(ES) OF BUYER(S) AND INTEREST TRANSFERRED TO EACH:				
Et Cetera Et Cetera 25100 SW 153rd Ave Princeton, FL 33032				
6A. TOTAL INTEREST TRANSFERRED (100% UNLESS OTHERWISE SPECIFIED) 100%				
5B. MANNER OF OWNERSHIP. (CHECK ONLY ONE, IF APPLICABLE). UNLESS OTHERWISE STATED HEREIN, THIS BILL OF SALE CREATES A TENANCY IN COMMON, WITH EACH TENANT OWNING AN EQUAL UNDIVIDED INTEREST.				
<input type="checkbox"/> JOINT TENANCY WITH RIGHT OF SURVIVORSHIP <input type="checkbox"/> OTHER (DESCRIBE) <i>[Handwritten note: None]</i>		<input type="checkbox"/> TENANCY BY THE ENTIRETIES		<input type="checkbox"/> COMMUNITY PROPERTY
6. CONSIDERATION RECEIVED: Fifteen thousand eight hundred twenty one dollars and no/cents (ONE DOLLAR AND OTHER VALUABLE CONSIDERATION UNLESS OTHERWISE STATED)				
7. BY VIRTUE OF THE AFORESAID COURT ORDER, A COPY OF WHICH IS ATTACHED HERETO, OR DECREE OF ADMINISTRATIVE FORFEITURE ATTACHED HERETO, I DO HEREBY GRANT, BARGAIN, AND SELL THE VESSEL DESCRIBED HEREIN, TOGETHER WITH ITS TACKLE, APPAREL, AND FURNITURE, TO THE BUYER(S) NAMED ABOVE.				
<i>[Handwritten signature: Ava Gunter Gore]</i> 8. SIGNATURE AND ACKNOWLEDGMENT: Ava Gunter Gore, Assistant Chief Deputy U.S. Marshal, S/FL				
ON <u>April 18, 2002</u> (DATE)		THE STATE: Florida COUNTY: Dade		
PERSON(S) NAMED ABOVE ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT IN THEIR STATED CAPACITY(IES) FOR THE PURPOSE THEREIN CONTAINED.		NOTARY PUBLIC <i>[Handwritten signature: Donna F. Gelish]</i> MY COMMISSION EXPIRES: <u>JULY 16, 2002</u> (DATE)		
				

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 00-CR-00131-MORENO

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD EPPINGER,

Defendant.

FILED BY
04 FEB -2 PM 3:02
CLERK, U.S. DIST. CT.
S.D. OF FL.-MIAMI
JC

MOTION TO TERMINATE PROBATION

COMES NOW the Defendant, RONALD EPPINGER, (hereinafter referred to as "EPPINGER") by and through his undersigned counsel, hereby files this Motion to Terminate Probation based on the following:

1. The Defendant, EPPINGER, was originally sentenced to twenty-one (21) months of confinement which terminated on June 11, 2002.
2. That additionally the Defendant, EPPINGER, was originally sentenced to three (3) years of probation which, among other things contained therein, certain restrictions on travel.
3. The Defendant, EPPINGER, has been on probation for one (1) year and five (5) months without any incidents of violation.
4. The Defendant, EPPINGER, is sixty-seven (67) years old and is a diabetic.
5. That the Defendant, EPPINGER, is presently employed by IGT Services, Inc., as a sales representative.
6. IGT is in the charge card business, has approximately 100,000 card holders and provide said card holders with discounts at restaurants, merchants and other service establishments.

US/K

7. Presently the Defendant has the necessity to travel for the purpose of securing and developing new business outlets and customers for IGT.

8. The Defendant had been previously employed by IGT from approximately 1995 through to 1997.

9. Additionally the Defendant, EPPINGER, suffers from Diabetes and at times not predictable, becomes incapacitated and therefore is unable to plan for travel with advance notification so that he will be able to seek permission to travel, prior to the travel date.

10. Additionally, the Defendant, EPPINGER, has a fiance living in Prague, Czech Republic and would like to get married and live in the Czech Republic.

11. This matter has been discussed with the Assistant United States Attorney Scott Ray who has objected to the entry of an Order for Early Termination of the Defendant's probation.

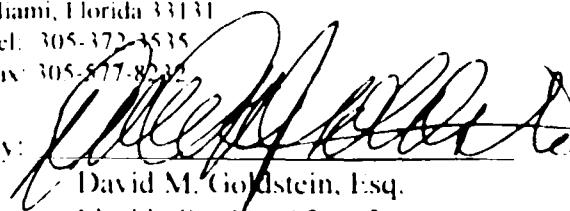
WHEREFORE the Defendant, EPPINGER, hereby requests this Honorable Court for the entry of an Order Terminating his Probation, or in the alternative that his travel restriction be terminated.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Terminate Probation was mailed to SCOTT RAY, U.S. ATTORNEY, 99 N.E. 4th Street, Miami, Florida 33132 this 20th day of January, 2004.

Law Office of David M. Goldstein
Attorney for Defendant
200 S. Biscayne Boulevard, Suite 1880
Miami, Florida 33131
Tel. 305-372-3535
Fax: 305-577-8232

By:


David M. Goldstein, Esq.
Florida Bar No. 156003

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-131-CR-MORENO

UNITED STATES OF AMERICA,
Plaintiff,

Vs.

**ORDER GRANTING MOTION FOR
EARLY TERMINATION OF PROBATION**

RONALD EPPINGER,
Defendant. /

THIS MATTER comes before the Court on the Defendant's **Motion for Early Termination of Probation** filed **February 2, 2004**. After review of the record and being otherwise duly advised, it is **ORDERED AND ADJUDGED** that the motion is **GRANTED**.
DONE AND ORDERED in chambers at Miami, Florida this 4/5 day of February, 2004.

FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

CC:
AUSA Scott Ray
David Goldstein, Esq.
United States Probation Office

U6
TK

United States District Court

SOUTHERN

DISTRICT OF

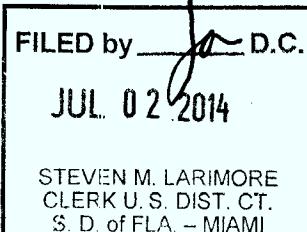
FLORIDA

UNITED STATES OF AMERICA

00-0131 CR-MORENO

V.

LUCIE FAUBERT



WARRANT FOR ARREST
MAGISTRATE JUDGE

CASE NUMBER: DUBÉ

TO: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest LUCIE FAUBERT

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging ~~him~~ with (brief description of offense)

8 USC 1328

18 USC 371

18 USC 2

BARRY L. GARBER

Name of Issuing Officer

Signature of Issuing Officer

Bail fixed at \$ PTD

MAGISTRATE JUDGE
GARBER

United States Magistrate Judge

Title of Issuing Officer

Miami, Florida

Date and Location

BARRY L. GARBER

Name of Judicial Officer

RETURNThis warrant was received and executed with the arrest of the above named defendant at Los Angeles, CA by INDATE RECEIVED
02-28-00

NAME AND TITLE OF ARRESTING OFFICER

DATE OF ARREST

AMOS ROJAS JR.
U.S. MARSHAL, SD/FL

06-27-00

SIGNATURE OF ARRESTING OFFICER

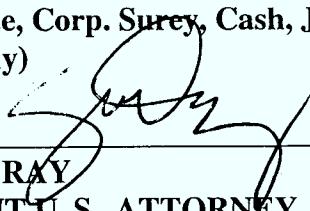
BY: JOE GODSK
SDUSM, SD/FL

BOND RECOMMENDATION

DEFENDANT LUCIE FAUBERT

\$ P.T.D. (On Bond)

**Risk of Flight (Personal Surety, Recognizance, Corp. Surey, Cash, Jail, Warrant,
Summons, Marshal's Custody)**


SCOTT E. RAY
ASSISTANT U. S. ATTORNEY

Last Known Address: _____

What Facility: _____

Agent: Pamela Martin, IRS and Glen Kelly, FBI
(IRS)(CUSTOMS)(INS)(OTHER)(FBI)(SECRET SERVICE)(DEA)(ATF)

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U.S. District - Florida Southern
(Miami)

1:00cr131

USA v. Eppinger, et al

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Date Filed: 02/24/2000 Class Code: CLOSED
Other Docket: None Closed: yes

Defendants

Name

Ronald R. Eppinger(1)
[Term: 11/21/2001]
DOB: 02/25/36 Prisoner # 62230-004

Attorneys

Nathan Philip Diamond
LEAD ATTORNEY; ATTORNEY TO BE NOTICED
[Term: 11/21/2001]
1221 Brickell Avenue
Miami, FL 33131
USA
305-371-5300
Fax: 371-6966
Designation: Retained

ChargesDisposition

Complaints: none

Pending: 8:1328.F IMPORTATION OF ALIEN FOR IMMORAL PURPOSE (3)

Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment||||AMENDED JUDGMENT INFORMATION: Imprisonment for a term of 21 months, to be served concurrently ; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment

18:2422.F COERCION OR ENTICEMENT OF FEMALE(4)

Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment||||AMENDED JUDGMENT INFORMATION: Imprisonment for a term of 21 months, to be served concurrently ; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment

18:1957-7611.F ENGAGING IN MONETARY TRANSACTIONS (12)
Offense Level (Opening): Felony

Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment||||AMENDED JUDGMENT INFORMATION: Imprisonment for a term of 21 months, to be served concurrently ; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment

Terminated: 18:371.F CONSPIRACY TO DEFRAUD THE UNITED STATES (1)

Dismissed

18:2422.F COERCION OR ENTICEMENT OF FEMALE(5-9)

Dismissed

18:1956-3300.F MONEY LAUNDERING - INTERSTATE COMMERCE(10-11)

Dismissed

18:1957-7611.F ENGAGING IN MONETARY TRANSACTIONS (13)
Offense Level (Terminated): Felony

Dismissed

Case Assigned to: Judge Federico A. Moreno

Name

Lucie Faubert(2)
[Term: 08/02/2000]

Attorneys

Atty Other District
LEAD ATTORNEY;ATTORNEY TO BE NOTICED
[Term: 08/02/2000]
Out of District
Designation: Retained

Charges

Complaints: none

Pending: none

Terminated: 18:371.F CONSPIRACY TO DEFRAUD THE UNITED STATES (1)

8:1328.F IMPORTATION OF ALIEN FOR IMMORAL PURPOSE(2)

Offense Level (Terminated): Felony

Disposition

Rule 20 Transfer for plea and sentence to the Central District of California

Rule 20 Transfer for plea and sentence to the Central District of California

Case Assigned to: Judge Federico A. Moreno

U. S. Attorneys

Scott Ray
LEAD ATTORNEY;ATTORNEY TO BE NOTICED
United States Attorney's Office
99 NE 4 Street
Miami, FL 33132
USA
305-961-9033
Fax: 530-7976

Documents

Items 1 to 59 of 59				
	Availability	No.	Date	Proceeding Text
<input type="checkbox"/>	Online	1	02/24/2000	MOTION by USA as to Ronald R. Eppinger, Lucie Faubert to seal indictment (nt, Deputy Clerk) (Entered: 02/28/2000)
<input type="checkbox"/>	Online	2	02/24/2000	ORDER as to Ronald R. Eppinger, Lucie Faubert granting [1-1] motion to seal indictment as to Ronald R. Eppinger (1), Lucie Faubert (2) until defendant's initial appearance following arrest (Signed by Magistrate Barry L. Garber on 2/24/00) CCAP [EOD Date: 2/28/00] CCAP (nt, Deputy Clerk) (Entered: 02/28/2000)
	Runner		02/24/2000	Magistrate identification: Magistrate Judge Robert L. Dube (nt, Deputy Clerk) (Entered: 02/28/2000)
<input type="checkbox"/>	Online	3	02/24/2000	SEALED INDICTMENT as to Ronald R. Eppinger (1) count(s) 1, 3, 4, 5-9, 10-11, 12-13, and Forfeiture Count and Lucie Faubert (2) count(s) 1, 2 (Criminal Category 1) (nt, Deputy Clerk) (Entered: 02/28/2000)
<input type="checkbox"/>	Online	4	02/24/2000	ARREST WARRANT issued as to Lucie Faubert . Warrant issued by Magistrate Barry L. Garber Bail fixed at Pretrial Detention (nt, Deputy Clerk) (Entered: 02/28/2000)
<input type="checkbox"/>	Online	5	02/24/2000	ARREST WARRANT issued as to Ronald R. Eppinger . Warrant issued by Magistrate Barry L. Garber Bail fixed at Pretrial Detention (nt, Deputy Clerk) (Entered: 02/28/2000)
	Runner		06/30/2000	ORDER as to Ronald R. Eppinger, Lucie Faubert transferring case to clerk's suspended file until the defendants are apprehended (Signed by Judge Federico A. Moreno on 6/30/00) CCAP [EOD Date: 7/6/00] CCAP (Former Deputy Clerk) (Entered: 07/06/2000)
	Runner		07/10/2000	MOTION by USA as to Ronald R. Eppinger, Lucie Faubert to Unseal (Former Deputy Clerk) (Entered: 07/12/2000)
<input type="checkbox"/>	Online	8	07/12/2000	ORDER unsealing as to Ronald R. Eppinger, Lucie Faubert granting [7-1] motion to Unseal as to Ronald R. Eppinger (1), Lucie Faubert (2) (Signed by Judge Federico A. Moreno on 7/10/00) CCAP [EOD Date: 7/13/00] (Former Deputy Clerk) (Entered: 07/13/2000)
	Runner		07/12/2000	Indictment unsealed as to Ronald R. Eppinger, Lucie Faubert (mg, Deputy Clerk) (Entered: 07/31/2000)
	Runner		07/17/2000	ARREST (consent to transfer under Rule 20 signed) of Lucie Faubert in Central Dist. of CA (sk, Deputy Clerk) (Entered: 08/02/2000)
	Runner		07/17/2000	Initial appearance as to Lucie Faubert held in the Central District of California (Defendant informed of rights.) (sk, Deputy Clerk) (Entered: 08/02/2000)
	Runner		07/17/2000	Arraignment as to Lucie Faubert held Lucie Faubert (2) count(s) 1, 2 (dr, Deputy Clerk) (Entered: 08/02/2000)
<input type="checkbox"/>	Online	9	08/02/2000	Consent to Transfer Jurisdiction (Rule 20) to Central District of California as to Lucie Faubert Terminated motions: Counts closed: Lucie Faubert (2) count(s) 1, 2 (sk, Deputy Clerk) (Entered: 08/02/2000)
<input type="checkbox"/>	Online	10	08/03/2000	Transmittal Letter sent to District of Central California in case as to Lucie Faubert . Documents Sent: Original Consent to Transfer of Case for Plea and Sentence (Under Rule 20) (1) certified copy of the Indictment/Information (1) certified copy of the Docket Sheet (sk, Deputy Clerk) (Entered: 08/03/2000)
	Runner		05/11/2001	ARREST of Ronald R. Eppinger (Former Deputy Clerk) (Entered: 05/22/2001)
	Runner		05/14/2001	Detention hearing as to Ronald R. Eppinger held (sk, Deputy Clerk) (Entered: 05/22/2001)
<input type="checkbox"/>	Online	11	05/21/2001	ARREST WARRANT Returned Executed as to Ronald R. Eppinger on 5/11/01 (Former Deputy Clerk) (Entered: 05/22/2001)
<input type="checkbox"/>	Online	12	05/21/2001	REPORT Commencing Criminal Action as to Ronald R. Eppinger DOB: 02/25/36 Prisoner # 62230-004 (sk, Deputy Clerk) (Entered: 05/22/2001)
<input type="checkbox"/>	Online	13	05/21/2001	NOTICE of Temporary Appearance for Ronald R. Eppinger by Attorney Nathan Philip Diamond (sk, Deputy Clerk) (Entered: 05/22/2001)
<input type="checkbox"/>	Online	14	05/21/2001	ORDER on Initial Appearance as to Ronald R. Eppinger Bond set to Temporary PTD for Ronald R. Eppinger. Arraignment set for 10:00 5/23/01 for Ronald R. Eppinger ; Report re counsel set for 10:00 5/23/01 for Ronald R. Eppinger ; before Duty Magistrate, , (Signed by Magistrate Judge Andrea M. Simonton on 5/14/01) Tape # 01FX-55-1952 CCAP (sk, Deputy Clerk) (Entered: 05/22/2001)

<input type="checkbox"/>	Online	15	05/21/2001	NOTICE OF APPEAL of Magistrate Decision to District Court by Ronald R. Eppinger re: [14-1] ORDER on Initial Appearance as to Ronald R. Eppinger Bond set to Temporary PTD (sk, Deputy Clerk) (Entered: 05/22/2001)
<input type="checkbox"/>	Online	16	05/24/2001	ORDER on Hearing to Report Re Counsel as to Ronald R. Eppinger Counsel by reset to 10:00 5/30/01 for Ronald R. Eppinger Arraignment set for 10:00 5/30/01 for Ronald R. Eppinger before Duty Magistrate (Signed by Magistrate Judge William C. Turnoff on 5/24/01) Tape # 01G-32-160 CCAP (sk, Deputy Clerk) (Entered: 05/25/2001)
<input type="checkbox"/>	Online	17	05/25/2001	ORDER OF DETENTION as to Ronald R. Eppinger (Signed by Magistrate Judge Andrea M. Simonton on 5/25/01) CCAP (sk, Deputy Clerk) (Entered: 05/29/2001)
<input type="checkbox"/>	Online	18	05/29/2001	TRANSCRIPT filed as to Ronald R. Eppinger, Lucie Faubert of Detention Hearing held 5/14/01 before Judge Andrea M. Simonton Pages: 1-50. Court Reporter: Jerald M. Meyers. (gp, Deputy Clerk) (Entered: 05/30/2001)
<input type="checkbox"/>	Online	19	05/30/2001	ARRAIGNMENT INFORMATION SHEET for Ronald R. Eppinger (1) count(s) 1, 3, 4, 5-9, 10-11, 12-13 NOT GUILTY PLEA ENTERED as to all counts. Court accepts plea. (sk, Deputy Clerk) (Entered: 05/31/2001)
<input type="checkbox"/>	Online	20	05/30/2001	NOTICE of Appearance for Ronald R. Eppinger by Attorney Nathan Diamond (sk, Deputy Clerk) (Entered: 05/31/2001)
<input type="checkbox"/>	Online	21	05/30/2001	ORDER on Hearing to Report Re Counsel as to Ronald R. Eppinger Counsel by Nathan Diamond (Signed by Magistrate Ted E. Bandstra on 5/30/01) Tape # 01B-50-2655 CCAP (sk, Deputy Clerk) (Entered: 05/31/2001)
<input type="checkbox"/>	Online	22	05/31/2001	STANDING DISCOVERY ORDER as to Ronald R. Eppinger all motions concerning matters not covered by this order must be filed within 28 days of this order (Signed by Magistrate Ted E. Bandstra on 5/30/01) CCAP (sk, Deputy Clerk) (Entered: 05/31/2001)
<input type="checkbox"/>	Online	23	06/07/2001	SCHEDULING ORDER setting trial as to Ronald R. Eppinger setting Calendar Call for 2:00 6/26/01; Trial for 2 week period beginning 9:00 7/2/01 before Judge Federico A. Moreno (Signed by Judge Federico A. Moreno on 6/6/01) CCAP [EOD Date: 6/8/01] CCAP (sn, Deputy Clerk) (Entered: 06/08/2001)
<input type="checkbox"/>	Online	24	06/13/2001	RESPONSE to Standing Discovery Order by USA as to Ronald R. Eppinger (sk, Deputy Clerk) (Entered: 06/14/2001)
<input type="checkbox"/>	Online	25	06/26/2001	Minutes of calendar call held on 6/26/01 before Judge Federico A. Moreno as to Ronald R. Eppinger ; Court Reporter Name or Tape #: ANDY SCHWARTZ (sk, Deputy Clerk) (Entered: 06/27/2001)
Runner		06/26/2001		MOTION in open court by Ronald R. Eppinger to continue trial (sk, Deputy Clerk) (Entered: 06/27/2001)
Runner		06/26/2001		Calendar call as to Ronald R. Eppinger held (sk, Deputy Clerk) (Entered: 06/27/2001)
<input type="checkbox"/>	Online	26	06/27/2001	ORDER as to Ronald R. Eppinger granting [0-0] oral motion to continue trial as to Ronald R. Eppinger (1) reset scheduling order deadlines: Jury Trial for 9/10/01 for Ronald R. Eppinger ; Calendar Call for 2:00 9/4/01 for Ronald R. Eppinger ; to Continue in Interest of Justice (Signed by Judge Federico A. Moreno on 6/26/01) [EOD Date: 6/28/01] CCAP (sk, Deputy Clerk) (Entered: 06/28/2001)
<input type="checkbox"/>	Online	27	08/15/2001	EMERGENCY MOTION by Ronald R. Eppinger for 48 hour furlough to attend funeral service (sk, Deputy Clerk) (Entered: 08/15/2001)
<input type="checkbox"/>	Online	28	08/21/2001	ORDER as to Ronald R. Eppinger denying [27-1] motion for 48 hour furlough to attend funeral service (Signed by Judge Federico A. Moreno on 8/17/01) [EOD Date: 8/22/01] CCAP (sn, Deputy Clerk) (Entered: 08/22/2001)
Runner		08/22/2001		Change of Plea Hearing as to Ronald R. Eppinger held (sk, Deputy Clerk) (Entered: 08/27/2001)
Runner		08/22/2001		PLEA entered by Ronald R. Eppinger . Court accepts plea. GUILTY: Ronald R. Eppinger (1) count(s) 3, 4, 12 (sk, Deputy Clerk) (Entered: 08/27/2001)
<input type="checkbox"/>	Online	29	08/24/2001	Minutes of change of plea hearing held on 8/22/01 before Judge Federico A. Moreno as to Ronald R. Eppinger ; Court Reporter Name or Tape #: Brynn Dockstader (sk, Deputy Clerk) (Entered: 08/27/2001)
<input type="checkbox"/>	Online	30	08/24/2001	Plea Agreement as to Ronald R. Eppinger (sk, Deputy Clerk) (Entered: 08/27/2001)
<input type="checkbox"/>	Online	31	08/24/2001	NOTICE of Hearing as to Ronald R. Eppinger : set Sentencing for 9:00 11/7/01 for Ronald R. Eppinger before Judge Federico A. Moreno (sk, Deputy Clerk) (Entered: 08/27/2001)
<input type="checkbox"/>	Online	32	08/27/2001	MOTION by USA as to Ronald R. Eppinger for preliminary order of Forfeiture (sk, Deputy Clerk) Modified on 08/30/2001 (Entered: 08/29/2001)
<input type="checkbox"/>	Online	33	08/28/2001	PRELIMINARY ORDER as to Ronald R. Eppinger granting [32-1] motion for preliminary order of Forfeiture as to Ronald R. Eppinger (1) (Signed by Judge Federico A. Moreno on 8/27/01) [EOD Date: 8/30/01] CCAP (sk, Deputy Clerk) (Entered: 08/30/2001)
<input type="checkbox"/>	Online	34	09/20/2001	Proof of publication of notice of forfeiture as to Ronald R. Eppinger from the: MIAMI DAILY BUSINESS REVIEW dated: 9/17/01 Response deadline is 10/15/01 (sk, Deputy Clerk) (Entered: 09/20/2001)
<input type="checkbox"/>	Online	35	10/12/2001	RETURN OF SERVICE as to Ronald R. Eppinger executed on 10/3/01 Re: preliminary order of forfeiture. (sk, Deputy Clerk) (Entered: 10/12/2001)
<input type="checkbox"/>	Online	36	10/25/2001	OBJECTION by USA to Presentence Investigation Report as to Ronald R. Eppinger (sk, Deputy Clerk) (Entered: 10/25/2001)
<input type="checkbox"/>	Online	37	11/07/2001	Minutes of sentencing held on 11/7/01 before Judge Federico A. Moreno as to Ronald R. Eppinger ; Court Reporter Name or Tape #: ANDY SCHWARTZ (sk, Deputy Clerk) (Entered: 11/09/2001)
Runner		11/07/2001		Sentencing held Ronald R. Eppinger (1) count(s) 3, 4, 12 (sn, Deputy Clerk) (Entered: 11/26/2001)
<input type="checkbox"/>	Online	38	11/19/2001	MOTION by USA as to Ronald R. Eppinger to Correct judgment in a criminal case re forfeiture of Donzi motor vessel (sk, Deputy Clerk) (Entered: 11/20/2001)
<input type="checkbox"/>	Online	39	11/21/2001	JUDGMENT as to Ronald R. Eppinger (1) count(s) 3, 4, 12: Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment; count(s) 1, 5-9, 10-11, 13: Dismissed (Signed by Judge Federico A. Moreno on 11/20/01) [EOD Date: 11/26/01] CCAP (sn, Deputy Clerk) (Entered: 11/26/2001)
<input type="checkbox"/>	Online	40	01/11/2002	MOTION by Ronald R. Eppinger to amend/modify [39-1] judgment order (sk, Deputy Clerk) (Entered: 01/14/2002)
<input type="checkbox"/>	Online	41	01/15/2002	Judgment Returned Executed as to Ronald R. Eppinger on 12/18/01 at FCI Miami, FL (sk, Deputy Clerk) (Entered: 01/16/2002)
<input type="checkbox"/>	Online	42	01/22/2002	ORDER as to Ronald R. Eppinger granting [40-1] motion to amend/modify [39-1] Judgment order as to Ronald R. Eppinger (1) amending/modifying [39-1] JUDGMENT dated 11/21/01 to give Ronald R. Eppinger credit for time served from December 11, 2001 to 5/11/01 in Frankfurt, Germany, (Signed by Judge Federico A. Moreno on 1/18/02) [EOD Date: 1/23/02] CCAP (sk, Deputy Clerk) (Entered: 01/23/2002)
<input type="checkbox"/>	Online	43	03/19/2002	AMENDED JUDGMENT: Ronald R. Eppinger (1) count(s) 3, 4, 12 . Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment//AMENDED JUDGMENT INFORMATION: Imprisonment for a term of 21 months, to be served concurrently; supervised release for a term of 3 years; \$6,000.00 fine; \$300.00 assessment (Signed by Judge Federico A. Moreno on 3/18/02) [EOD Date: 3/20/02] CCAP (sk, Deputy Clerk) (Entered: 03/20/2002)
<input type="checkbox"/>	Online	44	04/19/2002	NOTICE of Bill of Sale by USA (lk, Deputy Clerk) (Entered: 04/22/2002)
<input type="checkbox"/>	Online	45	02/02/2004	MOTION by Ronald R. Eppinger for Termination of Probation Ronald R. Eppinger (1) count(s) 3, 4, 12 (lk, Deputy Clerk) (Entered: 02/03/2004)
<input type="checkbox"/>	Online	46	02/04/2004	ORDER as to Ronald R. Eppinger granting [45-1] motion for Termination of Probation Ronald R. Eppinger (1) count(s) 3, 4, 12 as to Ronald R. Eppinger (1) (Signed by Judge Federico A. Moreno on 2/4/04) [EOD Date: 2/5/04] CCAP (lk, Deputy Clerk) (Entered: 02/05/2004)
Free		47	07/02/2014	

Arrest Warrant returned executed on 6/27/2000 as to Lucie Faubert re 4 Arrest Warrant Issued (jua) (Entered: 07/02/2014)

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